



Health & Families Council

**Tuesday, April 25, 2006
9:00 AM – 10:00 AM
Reed Hall**

Action Packet

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: **Health & Families**
Council

Bill Number: HB 241 CS

Meeting Date: 4/25/06

Date Received: _____

Place: Reel Hall

Date Reported: _____

Time: 9:00 A.M.

Subject: Florida KidCare Program

Council/Committee Action:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS								
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<u> </u>	<u> </u>	Bean								
<u> </u>	<u> </u>	Brandenburg								
<u> </u>	<u> </u>	Galvano								
<u> </u>	<u> </u>	Garcia								
<u> </u>	<u> </u>	H Gibson								
<u> </u>	<u> </u>	Harrell								
<u> </u>	<u> </u>	Homan								
<u> </u>	<u> </u>	Robaina								
<u> </u>	<u> </u>	Sobel								
<u> </u>	<u> </u>	Vana								
<u> </u>	<u> </u>	Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
<u> </u>	<u> </u>									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

***Speaker Codes**

Lobbyist: L	Proponent: P
State Employee: SE	Opponent: O
General Public: G	Information only: I
Requested to Speak: R	

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Health & Families
Council

Bill Number: HB 457 CS

Meeting Date: 4/25/06

Date Received: _____

Place: Reel Hall

Date Reported: _____

Time: 9:00 AM

Subject: guardianship

Council/Committee Action:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Favorable
<input type="checkbox"/> Favorable w/ _____ amendments
<input type="checkbox"/> Favorable w/Council/Committee Substitute
<input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Retained for Reconsideration
<input type="checkbox"/> Reconsidered
<input type="checkbox"/> Temporarily Postponed
<input type="checkbox"/> Unfavorable |
|--|--|

Final Vote On Bill		MEMBERS								
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<u> </u>	<u> </u>	Bean								
<u> </u>	<u> </u>	Brandenburg								
<u> </u>	<u> </u>	Galvano								
<u> </u>	<u> </u>	Garcia								
<u> </u>	<u> </u>	H Gibson								
<u> </u>	<u> </u>	Harrell								
<u> </u>	<u> </u>	Homan								
<u> </u>	<u> </u>	Robaina								
<u> </u>	<u> </u>	Sobel								
<u> </u>	<u> </u>	Vana								
<u> </u>	<u> </u>	Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
<u>6</u>	<u>0</u>									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

***Speaker Codes**

Lobbyist: L State Employee: SE General Public: G Requested to Speak: R	Proponent: P Opponent: O Information only: I
---	--

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Health & Families

Bill Number:

Council

HB 459

Meeting Date: 4/25/06

Date Received:

Place: Reed Hall

Date Reported:

Time: 9:00 AM

Subject: public records

Council/Committee Action:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS								
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Bean								
<input checked="" type="checkbox"/>		Brandenburg								
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia								
<input checked="" type="checkbox"/>		H Gibson								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Homan								
<input checked="" type="checkbox"/>		Robaina								
<input checked="" type="checkbox"/>		Sobel								
<input checked="" type="checkbox"/>		Vana								
<input checked="" type="checkbox"/>		Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
6	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

***Speaker Codes**

Lobbyist: L	Proponent: P
State Employee: SE	Opponent: O
General Public: G	Information only: I
Requested to Speak: R	

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Health & Families

Bill Number:

Council

HB 569 CS

Meeting Date: 4/25/06

Date Received:

Place: Reed Hall

Date Reported:

Time: 9:00 AM

Subject: athletic trainers

Council/Committee Action:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS								
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bean								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Brandenburg								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Galvano								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Garcia								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	H Gibson								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Harrell								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Homan								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Robaina								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sobel								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vana								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
6	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

*Speaker Codes

Lobbyist: L	Proponent: P
State Employee: SE	Opponent: O
General Public: G	Information only: I
Requested to Speak: R	

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Health & Families Council

Bill Number: HB 577 CS

Meeting Date: 4/25/06

Date Received: _____

Place: Reed Hall

Date Reported: _____

Time: 9:00 AM

Subject: medicaid comprehensive geriatric fall prevention program

Council/Committee Action:

- | | |
|--|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	1		2					
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Bean								
<input checked="" type="checkbox"/>		Brandenburg	<i>W/K</i>		<i>W/K</i>					
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia	<i>OK</i>		<i>OK</i>					
<input checked="" type="checkbox"/>		H Gibson								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Homan								
<input checked="" type="checkbox"/>		Robaina								
<input checked="" type="checkbox"/>		Sobel								
<input checked="" type="checkbox"/>		Vana								
<input checked="" type="checkbox"/>		Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
8	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

*Speaker Codes

Lobbyist: L	Proponent: P
State Employee: SE	Opponent: O
General Public: G	Information only: I
Requested to Speak: R	

Amendment to HB 577 CS by Rep. Garcia

Amendment #1 conforms HB 577 CS to the CS for SB 1000, and specifies that the comprehensive geriatric fall prevention program for Medicaid recipients in Miami-Dade County shall serve up to 7,000 Medicaid recipients during the first year of operation.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1(for drafter's use only)

Bill No. HB 577 CS

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Garcia offered the following:

4 **Amendment**

5 Remove line(s) 26-34 and insert:

6 (1)(a) The Agency for Health Care Administration shall
7 establish a comprehensive geriatric fall prevention program for
8 Medicaid recipients in Miami-Dade County. The program shall be
9 evidence-based and shall expand the geriatric fall prevention
10 demonstration project awarded under contract in 2002 by the
11 Agency for Health Care Administration. The program shall serve
12 up to 7,000 Medicaid recipients during the first year of
13 operation and shall be in operation within 120 days after the
14 effective date of this act.

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. **HB 577 CS**

COUNCIL/COMMITTEE ACTION

ADOPTED ☐ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☒ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

Council/Committee hearing bill: Health & Families Council
Representative(s) Garcia offered the following:

Amendment (with directory and title amendments)

Remove line(s) 52-55 and insert:

Section 2. Paragraph (e) of subsection (5) of section
409.912, Florida Statutes, is amended to read:

409.912 Cost-effective purchasing of health care.--The
agency shall purchase goods and services for Medicaid recipients
in the most cost-effective manner consistent with the delivery
of quality medical care. To ensure that medical services are
effectively utilized, the agency may, in any case, require a
confirmation or second physician's opinion of the correct
diagnosis for purposes of authorizing future services under the
Medicaid program. This section does not restrict access to
emergency services or poststabilization care services as defined
in 42 C.F.R. part 438.114. Such confirmation or second opinion
shall be rendered in a manner approved by the agency. The agency
shall maximize the use of prepaid per capita and prepaid
aggregate fixed-sum basis services when appropriate and other
000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

22 alternative service delivery and reimbursement methodologies,
23 including competitive bidding pursuant to s. 287.057, designed
24 to facilitate the cost-effective purchase of a case-managed
25 continuum of care. The agency shall also require providers to
26 minimize the exposure of recipients to the need for acute
27 inpatient, custodial, and other institutional care and the
28 inappropriate or unnecessary use of high-cost services. The
29 agency shall contract with a vendor to monitor and evaluate the
30 clinical practice patterns of providers in order to identify
31 trends that are outside the normal practice patterns of a
32 provider's professional peers or the national guidelines of a
33 provider's professional association. The vendor must be able to
34 provide information and counseling to a provider whose practice
35 patterns are outside the norms, in consultation with the agency,
36 to improve patient care and reduce inappropriate utilization.
37 The agency may mandate prior authorization, drug therapy
38 management, or disease management participation for certain
39 populations of Medicaid beneficiaries, certain drug classes, or
40 particular drugs to prevent fraud, abuse, overuse, and possible
41 dangerous drug interactions. The Pharmaceutical and Therapeutics
42 Committee shall make recommendations to the agency on drugs for
43 which prior authorization is required. The agency shall inform
44 the Pharmaceutical and Therapeutics Committee of its decisions
45 regarding drugs subject to prior authorization. The agency is
46 authorized to limit the entities it contracts with or enrolls as
47 Medicaid providers by developing a provider network through
48 provider credentialing. The agency may competitively bid single-
49 source-provider contracts if procurement of goods or services
50 results in demonstrated cost savings to the state without
51 limiting access to care. The agency may limit its network based

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

52 on the assessment of beneficiary access to care, provider
53 availability, provider quality standards, time and distance
54 standards for access to care, the cultural competence of the
55 provider network, demographic characteristics of Medicaid
56 beneficiaries, practice and provider-to-beneficiary standards,
57 appointment wait times, beneficiary use of services, provider
58 turnover, provider profiling, provider licensure history,
59 previous program integrity investigations and findings, peer
60 review, provider Medicaid policy and billing compliance records,
61 clinical and medical record audits, and other factors. Providers
62 shall not be entitled to enrollment in the Medicaid provider
63 network. The agency shall determine instances in which allowing
64 Medicaid beneficiaries to purchase durable medical equipment and
65 other goods is less expensive to the Medicaid program than long-
66 term rental of the equipment or goods. The agency may establish
67 rules to facilitate purchases in lieu of long-term rentals in
68 order to protect against fraud and abuse in the Medicaid program
69 as defined in s. 409.913. The agency may seek federal waivers
70 necessary to administer these policies.

71 (5) By December 1, 2005, the Agency for Health Care
72 Administration, in partnership with the Department of Elderly
73 Affairs, shall create an integrated, fixed-payment delivery
74 system for Medicaid recipients who are 60 years of age or older.
75 The Agency for Health Care Administration shall implement the
76 integrated system initially on a pilot basis in two areas of the
77 state. In one of the areas enrollment shall be on a voluntary
78 basis. The program must transfer all Medicaid services for
79 eligible elderly individuals who choose to participate into an
80 integrated-care management model designed to serve Medicaid
81 recipients in the community. The program must combine all

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

82 funding for Medicaid services provided to individuals 60 years
83 of age or older into the integrated system, including funds for
84 Medicaid home and community-based waiver services; all Medicaid
85 services authorized in ss. 409.905 and 409.906, excluding funds
86 for Medicaid nursing home services unless the agency is able to
87 demonstrate how the integration of the funds will improve
88 coordinated care for these services in a less costly manner; and
89 Medicare coinsurance and deductibles for persons dually eligible
90 for Medicaid and Medicare as prescribed in s. 409.908(13).

91 (e) The agency may seek federal waivers and adopt rules as
92 necessary to administer the integrated system and may implement
93 the approved waiver. ~~The agency must receive specific~~
94 ~~authorization from the Legislature prior to implementing the~~
95 ~~waiver for the integrated system.~~

96 (f) It is the intent of the Legislature that if any
97 conflict exists between the provisions contained in this section
98 and other provisions of this chapter which relate to the
99 implementation of the Medicaid integrated system, the provisions
100 contained in this section shall control.

101 Section 3. This act shall take effect July 1, 2006.
102 However, section 1 is effective only if a specific appropriation
103 to fund the Medicaid comprehensive geriatric fall prevention
104 program is made in the General Appropriations Act for fiscal
105 year 2006-2007.

107 ===== T I T L E A M E N D M E N T =====

108 Remove line(s) 17-18 and insert:

109
110 a certain form of reimbursement; amending s. 409.912, F.S.;
111 providing that the Agency for Health Care Administration may
000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

112 implement the approved waiver; providing applicability;
113 providing an effective date with contingency.

000000

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: **Health & Families**
Council

Bill Number: HB 619 CS

Meeting Date: 4/25/06

Date Received: _____

Place: Red Hall

Date Reported: _____

Time: 9:00 AM

Subject: poststroke abuse and mental health programs

Council/Committee Action:

- ☐ Favorable
☐ Favorable w/ _____ amendments
☒ Favorable w/Council/Committee Substitute
☐ Other Action: _____

- ☐ Retained for Reconsideration
☐ Reconsidered
☐ Temporarily Postponed
☐ Unfavorable

Final Vote On Bill		MEMBERS								
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bean	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input type="checkbox"/>	<input type="checkbox"/>	Brandenburg	<input type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Galvano	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	H Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input type="checkbox"/>	<input type="checkbox"/>	Harrell								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Homan								
<input type="checkbox"/>	<input type="checkbox"/>	Robaina								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sobel								
<input type="checkbox"/>	<input type="checkbox"/>	Vana								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
7	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

***Speaker Codes**

Lobbyist: L Proponent: P
State Employee: SE Opponent: O
General Public: G Information only: I
Requested to Speak: R

Amendment to HB 619 CS by Rep.Gibson

The amendment conforms the bill to the Senate bill by reauthorizing the position of Assistant Secretary for Substance Abuse and Mental Health and the Program Offices of Mental Health and Substance Abuse in the Department of Children and Family Services, as repealed by chapter 2003-279, L.O.F.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 619

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Health and Families Council
Representative(s) Gibson offered the following:

Amendment (with directory and title amendments)

Between line(s) 263 and 264, insert:

Section 3. Section 3 of chapter 2003-279, Laws of Florida,
is repealed.

===== T I T L E A M E N D M E N T =====

Remove line(24)and insert:
facility; repealing s. 3 of ch. 2003-279, Laws of Florida;
deleting the expiration date of s. 20.19(2)(c) and (4)(b)6 and
8., F.S., relating to the Mental Health and Substance Abuse
Program Offices and the appointment of the Assistant Secretary
for Substance Abuse and Mental Health and other personnel;
providing an effective date.

000000

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Health & Families

Bill Number:

Council

HB 1623 CS

Meeting Date: 4/25/06

Date Received:

Place: Reed Hall

Date Reported:

Time: 9:00 AM

Subject: youth and young adults
with disabilities

Council/Committee Action:

- ☐ Favorable
☐ Favorable w/ _____ amendments
☒ Favorable w/Council/Committee Substitute
☐ Other Action: _____

- ☐ Retained for Reconsideration
☐ Reconsidered
☐ Temporarily Postponed
☐ Unfavorable

Final Vote On Bill		MEMBERS								
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bean	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Brandenburg	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Galvano	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	H Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Harrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Homan	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Robaina	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sobel	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vana	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Benson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
7	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

*Speaker Codes

Lobbyist: L
 State Employee: SE
 General Public: G
 Requested to Speak: R

Proponent: P
 Opponent: O
 Information only: I

Amendment to HB 1623 CS by Rep. Bean

Amendment #1 provides that the Agency for Persons with Disabilities may create the Interagency Services Committee for Youth and Young Adults with Disabilities, specifies that the Committee may invite representation from certain private and public parties, and changes the bill's effective date to reflect that the act is effective upon becoming a law.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 1623 CS**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Health & Families Council
Representative(s) Bean offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Interagency Services Committee for Youth and
Young Adults with Disabilities.--

(1) The Agency for Persons with Disabilities may create
the Interagency Services Committee for Youth and Young Adults
with Disabilities. It is the intent of the Legislature that the
committee develop strategies to ensure successful transition to
employment or further education of youth and young adults with
disabilities and to eliminate barriers that impede educational
opportunities leading to future employment.

(2)(a) The committee shall consist of heads, or their
designees, of the following agencies and bureaus or divisions of
agencies: the Department of Education and, in that department,
the Bureau of Exceptional Education and Student Services, the
Division of Vocational Rehabilitation, the Division of Blind
Services, the Division of Community Colleges, workforce
education, and the office of interagency programs; the Agency

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

23 for Persons with Disabilities; the Agency for Health Care
24 Administration; the Division of Children's Medical Services
25 Network in the Department of Health; children's mental health in
26 the Department of Children and Family Services; the Department
27 of Juvenile Justice; the Department of Corrections; the
28 Commission for the Transportation Disadvantaged; and the Florida
29 Housing Finance Corporation. Agency representatives must be at
30 least at the bureau chief level. The committee may invite
31 representation from the following private and public parties:
32 the Able Trust; the Business Leadership Network; the Florida
33 Advocacy Center; the Governor's Americans with Disabilities Act
34 Working Group; the Florida Association for Centers for
35 Independent Living; an individual with a disability; and a
36 parent or guardian of an individual with a disability. The
37 members of the committee shall designate one of its members as
38 chairperson.

39 (b) The Department of Children and Family Services, the
40 Department of Education, the Department of Health, and the
41 Agency for Persons with Disabilities shall provide staff support
42 to the committee. Meetings and records of the committee are
43 subject to ss. 119.07 and 286.011, Florida Statutes. The
44 chairperson may designate one of the agencies providing staff
45 support to perform administrative responsibilities for the
46 committee.

47 (c) Committee members shall serve without compensation but
48 are entitled to reimbursement for expenses incurred in carrying
49 out their duties as provided in s. 112.061, Florida Statutes.
50 Members who are public officers or employees shall be reimbursed
51 through the budget entity through which they are compensated.
52 Reimbursement for members who are not public officers or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

53 employees shall alternate between the budget entities
54 represented on the committee.

55 (3) The committee shall:

56 (a) Identify the roles and responsibilities of each agency
57 with regard to the committee goals.

58 (b) Develop collaborative relationships to identify and
59 assist in removing federal and state barriers to achieving the
60 goals.

61 (c) Identify common or comparable performance measures for
62 all agencies that serve youth and young adults with
63 disabilities.

64 (d) Design a mechanism to annually assess the progress
65 toward the goals by each agency.

66 (e) Collect and disseminate information on research-based
67 practices of state and local agencies on successful strategies.

68 (f) Develop strategies to educate public and private
69 employers on the benefit of hiring persons with disabilities.

70 (g) Develop strategies to encourage and provide incentives
71 for public and private employers to hire persons with
72 disabilities.

73 (h) Recommend a statewide system of accountability which
74 would include incentives for persons with disabilities; service
75 providers, including school districts, technical centers, and
76 community colleges; and businesses and industries providing
77 integrated competitive employment to individuals with
78 disabilities.

79 (4) The committee shall present a report of its findings
80 and recommendations to the Governor, the President of the
81 Senate, and the Speaker of the House of Representatives by March
82 1, 2007, and a final report on its findings and recommendations
83 by January 1, 2008. The committee is abolished on June 1, 2008.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

84 Section 2. This act shall take effect upon becoming a law.

85
86 ===== T I T L E A M E N D M E N T =====

87 Remove the entire title and insert:

88
89 A bill to be entitled
90 An act relating to youth and young adults with
91 disabilities; creating the Interagency Services Committee
92 for Youth and Young Adults with Disabilities; providing
93 legislative intent; providing that the committee be
94 staffed by member agencies of the committee; providing for
95 the membership of the committee; providing duties and
96 responsibilities for the committee; requiring the
97 committee to submit a report to the Governor and the
98 Legislature; providing an effective date.
99

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: **Health & Families**
Council

Bill Number: **HB 7173 CS**

Meeting Date: **4/25/06**

Date Received: _____

Place: **Reed Hall**

Date Reported: _____

Time: **9:00 AM**

Subject: **Welfare of children**

Council/Committee Action:

- | | |
|---|--|
| <input type="checkbox"/> Favorable
<input checked="" type="checkbox"/> Favorable w/ _____ amendments
<input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute
<input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Retained for Reconsideration
<input type="checkbox"/> Reconsidered
<input type="checkbox"/> Temporarily Postponed
<input type="checkbox"/> Unfavorable |
|---|--|

Final Vote On Bill		MEMBERS	<i>Strike all amend</i>							
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Bean								
<input checked="" type="checkbox"/>		Brandenburg								
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia								
<input checked="" type="checkbox"/>		H Gibson								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Homan								
<input checked="" type="checkbox"/>		Robaina								
<input checked="" type="checkbox"/>		Sobel								
<input checked="" type="checkbox"/>		Vana								
<input checked="" type="checkbox"/>		Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
7	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

***Speaker Codes**

Lobbyist: L State Employee: SE General Public: G Requested to Speak: R	Proponent: P Opponent: O Information only: I
---	--

**Strike all Amendment to HB 7173 CS (Welfare of Children) by
Rep. Galvano**

HB 7173 CS establishes a centralized office to examine, oversee, and implement abuse prevention services by creating the Office of Child Abuse Prevention within the Executive Office of the Governor.

The bill strengthens the ability of Statewide and Local Advocacy Councils (SAC) to monitor, investigate, and resolve claims of abuse and neglect. Requires a written protocol for all complaints generated by the statewide council. Defines the clients of the council as the Agency for Persons with Disabilities, the Agency for Health Care Administration, the Department of Children and Family Services, and the Department of Elder Affairs.

The bill also addresses the welfare of young adults aging out of the foster care system by expanding the Medicaid eligibility criteria to include 18 and 19 year old young adults. Requires DCF to maintain oversight of the program and report on the outcome measures to the Legislature.

The bill makes public school employees subject to the reporting requirements of chapter 39, F.S., for purposes of making reports of alleged abuse to the central abuse hotline.

Because of an exemption from regulation by both the Department of Children and Family Services and the Department of Education, the bill requires boarding schools to be accredited by the Florida Council of Independent Schools or the Southern Association of Colleges and Schools.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. HB 7173 CS

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Health and Families
Council Representative(s) Galvano) offers the following
amendment:

Amendment (with Title Amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsections (1) and (6) of section 39.001,
Florida Statutes, are amended, subsections (7) and (8) are
renumbered as subsections (8) and (9) and amended, present
subsection (9) is renumbered as subsection (10), and new
subsections (7), (11), and (12) are added to that section, to
read:

39.001 Purposes and intent; personnel standards and
screening.--

(1) PURPOSES OF CHAPTER.--The purposes of this chapter
are:

(a) To provide for the care, safety, and protection of
children in an environment that fosters healthy social,
emotional, intellectual, and physical development; to ensure
secure and safe custody; ~~and~~ to promote the health and well-
being of all children under the state's care; and to prevent the
occurrence of child abuse, neglect, and abandonment.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

22 (b) To recognize that most families desire to be competent
23 caregivers and providers for their children and that children
24 achieve their greatest potential when families are able to
25 support and nurture the growth and development of their
26 children. Therefore, the Legislature finds that policies and
27 procedures that provide for prevention and intervention through
28 the department's child protection system should be based on the
29 following principles:

30 1. The health and safety of the children served shall be
31 of paramount concern.

32 2. The prevention and intervention should engage families
33 in constructive, supportive, and nonadversarial relationships.

34 3. The prevention and intervention should intrude as
35 little as possible into the life of the family, be focused on
36 clearly defined objectives, and take the most parsimonious path
37 to remedy a family's problems.

38 4. The prevention and intervention should be based upon
39 outcome evaluation results that demonstrate success in
40 protecting children and supporting families.

41 (c) To provide a child protection system that reflects a
42 partnership between the department, other agencies, and local
43 communities.

44 (d) To provide a child protection system that is sensitive
45 to the social and cultural diversity of the state.

46 (e) To provide procedures which allow the department to
47 respond to reports of child abuse, abandonment, or neglect in
48 the most efficient and effective manner that ensures the health
49 and safety of children and the integrity of families.

50 (f) To preserve and strengthen the child's family ties
51 whenever possible, removing the child from parental custody only

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

52 when his or her welfare cannot be adequately safeguarded without
53 such removal.

54 (g) To ensure that the parent or legal custodian from
55 whose custody the child has been taken assists the department to
56 the fullest extent possible in locating relatives suitable to
57 serve as caregivers for the child.

58 (h) To ensure that permanent placement with the biological
59 or adoptive family is achieved as soon as possible for every
60 child in foster care and that no child remains in foster care
61 longer than 1 year.

62 (i) To secure for the child, when removal of the child
63 from his or her own family is necessary, custody, care, and
64 discipline as nearly as possible equivalent to that which should
65 have been given by the parents; and to ensure, in all cases in
66 which a child must be removed from parental custody, that the
67 child is placed in an approved relative home, licensed foster
68 home, adoptive home, or independent living program that provides
69 the most stable and potentially permanent living arrangement for
70 the child, as determined by the court. All placements shall be
71 in a safe environment where drugs and alcohol are not abused.

72 (j) To ensure that, when reunification or adoption is not
73 possible, the child will be prepared for alternative permanency
74 goals or placements, to include, but not be limited to, long-
75 term foster care, independent living, custody to a relative on a
76 permanent basis with or without legal guardianship, or custody
77 to a foster parent or legal custodian on a permanent basis with
78 or without legal guardianship.

79 (k) To make every possible effort, when two or more
80 children who are in the care or under the supervision of the
81 department are siblings, to place the siblings in the same home;
82 and in the event of permanent placement of the siblings, to

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

83 place them in the same adoptive home or, if the siblings are
84 separated, to keep them in contact with each other.

85 (1) To provide judicial and other procedures to assure due
86 process through which children, parents, and guardians and other
87 interested parties are assured fair hearings by a respectful and
88 respected court or other tribunal and the recognition,
89 protection, and enforcement of their constitutional and other
90 legal rights, while ensuring that public safety interests and
91 the authority and dignity of the courts are adequately
92 protected.

93 (m) To ensure that children under the jurisdiction of the
94 courts are provided equal treatment with respect to goals,
95 objectives, services, and case plans, without regard to the
96 location of their placement. It is the further intent of the
97 Legislature that, when children are removed from their homes,
98 disruption to their education be minimized to the extent
99 possible.

100 (n) To create and maintain an integrated prevention
101 framework that enables local communities, state agencies, and
102 organizations to collaborate to implement efficient and properly
103 applied evidence-based child abuse prevention practices.

104 (6) LEGISLATIVE INTENT FOR THE PREVENTION OF ABUSE,
105 ABANDONMENT, AND NEGLECT OF CHILDREN.--The incidence of known
106 child abuse, abandonment, and neglect has increased rapidly over
107 the past 5 years. The impact that abuse, abandonment, or neglect
108 has on the victimized child, siblings, family structure, and
109 inevitably on all citizens of the state has caused the
110 Legislature to determine that the prevention of child abuse,
111 abandonment, and neglect shall be a priority of this state. To
112 further this end, it is the intent of the Legislature that an
113 Office of Child Abuse Prevention be established ~~a comprehensive~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

~~approach for the prevention of abuse, abandonment, and neglect
of children be developed for the state and that this planned,
comprehensive approach be used as a basis for funding.~~

(7) OFFICE OF CHILD ABUSE PREVENTION.--

(a) For purposes of establishing a comprehensive statewide
approach for the prevention of child abuse, abandonment, and
neglect, the Office of Child Abuse Prevention is created within
the Executive Office of the Governor. The Governor shall appoint
a director for the office who shall be subject to confirmation
by the Senate.

(b) The director shall:

1. Assist in developing rules pertaining to implementation
of child abuse prevention efforts.

2. Act as the Governor's liaison with state agencies,
other state governments, and the public and private sectors on
matters that relate to child abuse prevention.

3. Work to secure funding and other support for the
state's child abuse prevention efforts, including, but not
limited to, establishing cooperative relationships among state
and private agencies.

4. Develop a strategic program and funding initiative that
links the separate jurisdictional activities of state agencies
with respect to child abuse prevention. The office may designate
lead and contributing agencies to develop such initiatives.

5. Advise the Governor and the Legislature on child abuse
trends in this state, the status of current child abuse
prevention programs and services, the funding of those programs
and services, and the status of the office with regard to the
development and implementation of the state child abuse
prevention strategy.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

144 6. Develop child abuse prevention public awareness
145 campaigns to be implemented throughout the state.

146 (c) The office is authorized and directed to:

147 1. Oversee the preparation and implementation of the state
148 plan established under subsection (8) and revise and update the
149 state plan as necessary.

150 2. Provide for, or make available continuing professional
151 education and training in the prevention of child abuse and
152 neglect.

153 3. Work to secure funding in the form of appropriations,
154 gifts, and grants from the state, the Federal Government, and
155 other public and private sources in order to ensure that
156 sufficient funds are available for prevention efforts.

157 4. Make recommendations pertaining to agreements or
158 contracts for the establishment and development of:

159 a. Programs and services for the prevention of child abuse
160 and neglect.

161 b. Training programs for the prevention of child abuse and
162 neglect.

163 c. Multidisciplinary and discipline-specific training
164 programs for professionals with responsibilities affecting
165 children, young adults, and families.

166 5. Monitor, evaluate, and review the development and
167 quality of local and statewide services and programs for the
168 prevention of child abuse and neglect and shall publish and
169 distribute an annual report of its findings on or before January
170 1 of each year to the Governor, the Speaker of the House of
171 Representatives, the President of the Senate, the secretary of
172 each state agency affected by the report, and the appropriate
173 substantive committees of the Legislature. The report shall
174 include:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

175 a. A summary of the activities of the office.

176 b. A summary detailing the demographic and geographic
177 characteristics of families served by the prevention programs.

178 c. Recommendations, by state agency, for the further
179 development and improvement of services and programs for the
180 prevention of child abuse and neglect.

181 d. The budget requests and prevention program needs by
182 state agency.

183 (8)(7) PLAN FOR COMPREHENSIVE APPROACH.--

184 (a) The office ~~department~~ shall develop a state plan for
185 the prevention of abuse, abandonment, and neglect of children
186 and shall submit the state plan to the Speaker of the House of
187 Representatives, the President of the Senate, and the Governor
188 no later than December 31, 2007 ~~January 1, 1983~~. The Department
189 of Children and Family Services, the Department of Corrections,
190 the Department of Education, the Department of Health, the
191 Department of Juvenile Justice, the Department of Law
192 Enforcement, the Agency for Persons with Disabilities, and the
193 Agency for Workforce Innovation ~~The Department of Education and~~
194 ~~the Division of Children's Medical Services Prevention and~~
195 ~~Intervention of the Department of Health~~ shall participate and
196 fully cooperate in the development of the state plan at both the
197 state and local levels. Furthermore, appropriate local agencies
198 and organizations shall be provided an opportunity to
199 participate in the development of the state plan at the local
200 level. Appropriate local groups and organizations shall include,
201 but not be limited to, community mental health centers; guardian
202 ad litem programs for children under the circuit court; the
203 school boards of the local school districts; the Florida local
204 advocacy councils; community-based care lead agencies; private
205 or public organizations or programs with recognized expertise in

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

206 working with child abuse prevention programs for children and
207 families; private or public organizations or programs with
208 recognized expertise in working with children who are sexually
209 abused, physically abused, emotionally abused, abandoned, or
210 neglected and with expertise in working with the families of
211 such children; private or public programs or organizations with
212 expertise in maternal and infant health care; multidisciplinary
213 child protection teams; child day care centers; law enforcement
214 agencies; and the circuit courts, when guardian ad litem
215 programs are not available in the local area. The state plan to
216 be provided to the Legislature and the Governor shall include,
217 as a minimum, the information required of the various groups in
218 paragraph (b).

219 (b) The development of the ~~comprehensive~~ state plan shall
220 be accomplished in the following manner:

221 1. The office shall establish a Child Abuse Prevention
222 Advisory Council composed of representatives from each state
223 agency and appropriate local agencies and organizations
224 specified in paragraph (a). The advisory council shall serve as
225 the research arm of the office and ~~The department shall~~
226 ~~establish an interprogram task force comprised of the Program~~
227 ~~Director for Family Safety, or a designee, a representative from~~
228 ~~the Child Care Services Program Office, a representative from~~
229 ~~the Family Safety Program Office, a representative from the~~
230 ~~Mental Health Program Office, a representative from the~~
231 ~~Substance Abuse Program Office, a representative from the~~
232 ~~Developmental Disabilities Program Office, and a representative~~
233 ~~from the Division of Children's Medical Services Prevention and~~
234 ~~Intervention of the Department of Health. Representatives of the~~
235 ~~Department of Law Enforcement and of the Department of Education~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

36 ~~shall serve as ex officio members of the interprogram task~~
237 ~~force. The interprogram task force shall be responsible for:~~

238 a. Assisting in developing a plan of action for better
239 coordination and integration of the goals, activities, and
240 funding pertaining to the prevention of child abuse,
241 abandonment, and neglect conducted by the office ~~department~~ in
242 order to maximize staff and resources at the state level. The
243 plan of action shall be included in the state plan.

244 b. Assisting in providing a basic format to be utilized by
245 the districts in the preparation of local plans of action in
246 order to provide for uniformity in the district plans and to
247 provide for greater ease in compiling information for the state
248 plan.

249 c. Providing the districts with technical assistance in
250 the development of local plans of action, if requested.

51 d. Assisting in examining the local plans to determine if
252 all the requirements of the local plans have been met and, if
253 they have not, informing the districts of the deficiencies and
254 requesting the additional information needed.

255 e. Assisting in preparing the state plan for submission to
256 the Legislature and the Governor. Such preparation shall include
257 the incorporation into the state plan ~~collapsing~~ of information
258 obtained from the local plans, the cooperative plans with the
259 members of the advisory council ~~Department of Education~~, and the
260 plan of action for coordination and integration of state
261 departmental activities ~~into one comprehensive plan~~. The state
262 ~~comprehensive~~ plan shall include a section reflecting general
263 conditions and needs, an analysis of variations based on
264 population or geographic areas, identified problems, and
265 recommendations for change. In essence, the state plan shall
66 provide an analysis and summary of each element of the local

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

plans to provide a statewide perspective. The state plan shall also include each separate local plan of action.

f. Conducting a feasibility study on the establishment of a Children's Cabinet.

g.f. Working with the specified state agency in fulfilling the requirements of subparagraphs 2., 3., 4., and 5.

2. The office, the department, the Department of Education, and the Department of Health shall work together in developing ways to inform and instruct parents of school children and appropriate district school personnel in all school districts in the detection of child abuse, abandonment, and neglect and in the proper action that should be taken in a suspected case of child abuse, abandonment, or neglect, and in caring for a child's needs after a report is made. The plan for accomplishing this end shall be included in the state plan.

3. The office, the department, the Department of Law Enforcement, and the Department of Health shall work together in developing ways to inform and instruct appropriate local law enforcement personnel in the detection of child abuse, abandonment, and neglect and in the proper action that should be taken in a suspected case of child abuse, abandonment, or neglect.

4. Within existing appropriations, the office ~~department~~ shall work with other appropriate public and private agencies to emphasize efforts to educate the general public about the problem of and ways to detect child abuse, abandonment, and neglect and in the proper action that should be taken in a suspected case of child abuse, abandonment, or neglect. The plan for accomplishing this end shall be included in the state plan.

5. The office, the department, the Department of Education, and the Department of Health shall work together on

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

the enhancement or adaptation of curriculum materials to assist instructional personnel in providing instruction through a multidisciplinary approach on the identification, intervention, and prevention of child abuse, abandonment, and neglect. The curriculum materials shall be geared toward a sequential program of instruction at the four progressional levels, K-3, 4-6, 7-9, and 10-12. Strategies for encouraging all school districts to utilize the curriculum are to be included in the ~~comprehensive~~ state plan for the prevention of child abuse, abandonment, and neglect.

6. Each district of the department shall develop a plan for its specific geographical area. The plan developed at the district level shall be submitted to the advisory council ~~interprogram task force~~ for utilization in preparing the state plan. The district local plan of action shall be prepared with the involvement and assistance of the local agencies and organizations listed in this paragraph ~~(a)~~, as well as representatives from those departmental district offices participating in the treatment and prevention of child abuse, abandonment, and neglect. In order to accomplish this, the office ~~district administrator in each district~~ shall establish a task force on the prevention of child abuse, abandonment, and neglect. The office ~~district administrator~~ shall appoint the members of the task force in accordance with the membership requirements of this section. The office ~~In addition, the district administrator shall ensure that each subdistrict is represented on the task force; and, if the district does not have subdistricts, the district administrator shall ensure that both urban and rural areas are represented on the task force.~~ The task force shall develop a written statement clearly identifying its operating procedures, purpose, overall

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

responsibilities, and method of meeting responsibilities. The district plan of action to be prepared by the task force shall include, but shall not be limited to:

a. Documentation of the magnitude of the problems of child abuse, including sexual abuse, physical abuse, and emotional abuse, and child abandonment and neglect in its geographical area.

b. A description of programs currently serving abused, abandoned, and neglected children and their families and a description of programs for the prevention of child abuse, abandonment, and neglect, including information on the impact, cost-effectiveness, and sources of funding of such programs.

c. A continuum of programs and services necessary for a comprehensive approach to the prevention of all types of child abuse, abandonment, and neglect as well as a brief description of such programs and services.

d. A description, documentation, and priority ranking of local needs related to child abuse, abandonment, and neglect prevention based upon the continuum of programs and services.

e. A plan for steps to be taken in meeting identified needs, including the coordination and integration of services to avoid unnecessary duplication and cost, and for alternative funding strategies for meeting needs through the reallocation of existing resources, utilization of volunteers, contracting with local universities for services, and local government or private agency funding.

f. A description of barriers to the accomplishment of a comprehensive approach to the prevention of child abuse, abandonment, and neglect.

g. Recommendations for changes that can be accomplished only at the state program level or by legislative action.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

360 (9)-(8) FUNDING AND SUBSEQUENT PLANS.--

361 (a) All budget requests submitted by the office, the
362 department, the Department of Health, the Department of
363 Education, the Department of Juvenile Justice, the Department of
364 Corrections, the Agency for Persons with Disabilities, the
365 Agency for Workforce Innovation, or any other agency to the
366 Legislature for funding of efforts for the prevention of child
367 abuse, abandonment, and neglect shall be based on the state plan
368 developed pursuant to this section.

369 (b) ~~The office department at the state and district levels~~
370 and the other agencies and organizations listed in paragraph
371 (8) (a) ~~(7) (a)~~ shall readdress the state plan and make necessary
372 revisions every 5 years, at a minimum. Such revisions shall be
373 submitted to the Speaker of the House of Representatives and the
374 President of the Senate no later than June 30 of each year
375 divisible by 5. At least biennially, the office shall review the
376 state plan and make any necessary revisions based on changing
377 needs and program evaluation results. An annual progress report
378 shall be submitted to update the state plan in the years between
379 the 5-year intervals. In order to avoid duplication of effort,
380 these required plans may be made a part of or merged with other
381 plans required by either the state or Federal Government, so
382 long as the portions of the other state or Federal Government
383 plan that constitute the state plan for the prevention of child
384 abuse, abandonment, and neglect are clearly identified as such
385 and are provided to the Speaker of the House of Representatives
386 and the President of the Senate as required above.

387 (11) RULEMAKING.--The Executive Office of the Governor
388 shall adopt rules pursuant to ss. 120.536(1) and 120.54 to
389 implement the provisions of this section.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

390 (12) EVALUATION.--By February 1, 2009, the Legislature
391 shall evaluate the office and determine whether it should
392 continue to be housed in the Executive Office of the Governor or
393 transferred to a state agency.

394 Section 2. Section 39.0014, Florida Statutes, is amended
395 to read:

396 39.0014 Responsibilities of public agencies.--All state,
397 county, and local agencies shall cooperate, assist, and provide
398 information to the Office of Child Abuse Prevention and the
399 department as will enable them ~~it~~ to fulfill their ~~its~~
400 responsibilities under this chapter.

401 Section 3. Paragraph (b) of subsection (3) of section
402 39.0015, Florida Statutes, is amended to read:

403 39.0015 Child abuse prevention training in the district
404 school system.--

405 (3) DEFINITIONS.--As used in this section:

406 (b) "Child abuse" means those acts as defined in ss.
407 39.01(1), (2), (30), (43), (45), (53)~~(52)~~, and (64)~~(63)~~, 827.04,
408 and 984.03(1), (2), and (37).

409 Section 4. Subsections (47) through (72) of section 39.01,
410 Florida Statutes, are renumbered as subsections (48) through
411 (73), present subsections (10) and (47) are amended, and a new
412 subsection (47) is added to that section, to read:

413 39.01 Definitions.--When used in this chapter, unless the
414 context otherwise requires:

415 (10) "Caregiver" means the parent, legal custodian, adult
416 household member, or other person responsible for a child's
417 welfare as defined in subsection (48) ~~(47)~~.

418 (47) "Office" means the Office of Child Abuse Prevention
419 within the Executive Office of the Governor.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

20 ~~(48)~~(47) "Other person responsible for a child's welfare"
421 includes the child's legal guardian, legal custodian, or foster
422 parent; an employee of any ~~a private~~ school, public or private
423 child day care center, residential home, institution, facility,
424 or agency; or any other person legally responsible for the
425 child's welfare in a residential setting; and also includes an
426 adult sitter or relative entrusted with a child's care. For the
427 purpose of departmental investigative jurisdiction, this
428 definition does not include law enforcement officers, or
429 employees of municipal or county detention facilities or the
430 Department of Corrections, while acting in an official capacity.

431 Section 5. Paragraph (a) of subsection (2) of section
432 39.202, Florida Statutes, is amended to read:

433 39.202 Confidentiality of reports and records in cases of
434 child abuse or neglect.--

435 (2) Except as provided in subsection (4), access to such
436 records, excluding the name of the reporter which shall be
437 released only as provided in subsection (5), shall be granted
438 only to the following persons, officials, and agencies:

439 (a) Employees, authorized agents, or contract providers of
440 the department, the Department of Health, or county agencies
441 responsible for carrying out:

- 442 1. Child or adult protective investigations;
- 443 2. Ongoing child or adult protective services;
- 444 3. Early intervention and prevention services;

445 ~~4.3.~~ Healthy Start services; ~~or~~

446 ~~5.4.~~ Licensure or approval of adoptive homes, foster
447 homes, or child care facilities, or family day care homes or
448 informal child care providers who receive subsidized child care
449 funding, or other homes used to provide for the care and welfare
50 of children; or-

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

451 ~~6.5-~~ Services for victims of domestic violence when
452 provided by certified domestic violence centers working at the
453 department's request as case consultants or with shared clients.
454

455 Also, employees or agents of the Department of Juvenile Justice
456 responsible for the provision of services to children, pursuant
457 to chapters 984 and 985.

458 Section 6. Subsection (1) of section 39.302, Florida
459 Statutes, is amended to read:

460 39.302 Protective investigations of institutional child
461 abuse, abandonment, or neglect.--

462 (1) The department shall conduct a child protective
463 investigation of each report of institutional child abuse,
464 abandonment, or neglect. Upon receipt of a report that alleges
465 that an employee or agent of the department, or any other entity
466 or person covered by s. 39.01(31) or ~~(48)-(47)~~, acting in an
467 official capacity, has committed an act of child abuse,
468 abandonment, or neglect, the department shall initiate a child
469 protective investigation within the timeframe established by the
470 central abuse hotline pursuant to s. 39.201(5) and orally notify
471 the appropriate state attorney, law enforcement agency, and
472 licensing agency. These agencies shall immediately conduct a
473 joint investigation, unless independent investigations are more
474 feasible. When conducting investigations onsite or having face-
475 to-face interviews with the child, such investigation visits
476 shall be unannounced unless it is determined by the department
477 or its agent that such unannounced visits would threaten the
478 safety of the child. When a facility is exempt from licensing,
479 the department shall inform the owner or operator of the
480 facility of the report. Each agency conducting a joint
481 investigation shall be entitled to full access to the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

information gathered by the department in the course of the investigation. A protective investigation must include an onsite visit of the child's place of residence. In all cases, the department shall make a full written report to the state attorney within 3 working days after making the oral report. A criminal investigation shall be coordinated, whenever possible, with the child protective investigation of the department. Any interested person who has information regarding the offenses described in this subsection may forward a statement to the state attorney as to whether prosecution is warranted and appropriate. Within 15 days after the completion of the investigation, the state attorney shall report the findings to the department and shall include in such report a determination of whether or not prosecution is justified and appropriate in view of the circumstances of the specific case.

Section 7. Subsections (1) and (2) of section 402.164, Florida Statutes, are amended to read:

402.164 Legislative intent; definitions.--

(1)(a) It is the intent of the Legislature to use citizen volunteers as members of the Florida Statewide Advocacy Council and the Florida local advocacy councils, and to have volunteers operate a network of councils that shall, without interference by an executive agency, undertake to discover, monitor, investigate, and determine the presence of conditions or individuals that constitute a threat to the rights, health, safety, or welfare of persons who receive services from state agencies.

(b) It is the further intent of the Legislature that the monitoring and investigation shall safeguard the health, safety, and welfare of consumers of services provided by these state agencies.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

(c) It is the further intent of the Legislature that state agencies cooperate with the councils in forming interagency agreements to provide the councils with authorized client records so that the councils may monitor services and investigate claims.

(2) As used in ss. 402.164-402.167, the term:

(b) "Client" means a client of the Agency for Persons with Disabilities, the Agency for Health Care Administration, the Department of Children and Family Services, and the Department of Elder Affairs, as defined in s. 393.063, s. 394.67, s. 397.311, or s. 400.960, a forensic client or client as defined in s. 916.106, a child or youth as defined in s. 39.01, a child as defined in s. 414.0252, a participant as defined in s. 400.551, a resident as defined in s. 400.402, a Medicaid recipient or recipient as defined in s. 409.901, a child receiving child care as defined in s. 402.302, a disabled adult as defined in s. 410.032 or 410.603, or a victim as defined in s. 39.01 or s. 415.102 as each definition applies within its respective chapter.

Section 8. Subsections (2), (5), and (7) of section 402.165, Florida Statutes, and paragraph (a) of subsection (8) of said section, are amended to read:

402.165 Florida Statewide Advocacy Council; confidential records and meetings.--

(2) Members of the statewide council shall be appointed to serve terms of 4 years, subject to termination at the pleasure of the Governor prior to expiration of such period. A member may not serve more than two full consecutive terms.

(5)(a) Members of the statewide council shall receive no compensation, but are entitled to be reimbursed for per diem and travel expenses in accordance with s. 112.061.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

44 (b) The Governor shall select an executive director who
545 shall serve at the pleasure of the Governor and shall perform
546 the duties delegated to him or her by the council. The
547 compensation of the executive director and staff shall be
548 established in accordance with the rules of the Selected Exempt
549 Service. The Governor shall give priority consideration in the
550 selection of an executive director to an individual with
551 professional expertise in research design, statistical analysis,
552 or agency evaluation and analysis.

553 (c) The council may apply for, receive, and accept grants,
554 gifts, donations, bequests, and other payments including money
555 or property, real or personal, tangible or intangible, and
556 service from any governmental or other public or private entity
557 or person and make arrangements as to the use of same.

558 (d) The statewide council shall annually prepare a budget
559 request that, after it is approved by the council, shall be
560 submitted to the Governor. The budget shall include a request
561 for funds to carry out the activities of the statewide council
562 and the local councils.

563 (7) The responsibilities of the statewide council include,
564 but are not limited to:

565 (a) Serving as an independent third-party mechanism for
566 protecting the constitutional and human rights of clients within
567 programs or facilities operated, funded, or contracted by any
568 state agency that provides client services.

569 (b) Monitoring, by site visit and through access to
570 records, the delivery and use of services, programs, or
571 facilities operated, funded, or contracted by any state agency
572 that provides client services, for the purpose of preventing
573 abuse or deprivation of the constitutional and human rights of
574 clients. The statewide council may conduct an unannounced site

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

visit or monitoring visit that involves the inspection of records if the visit is conditioned upon a complaint. A complaint may be generated by the council itself, after consulting with the Governor's office, if information from any state agency that provides client services or from other sources indicates a situation at the program or facility that indicates possible abuse or neglect or deprivation of the constitutional and human rights of clients. The statewide council shall establish and follow uniform criteria for the review of information and generation of complaints. The statewide council shall develop a written protocol for all complaints it generates to provide the Governor's office with information including the nature of the abuse or neglect, the agencies involved, the populations or numbers of individuals affected, the types of records necessary to complete the investigation, and a strategy for approaching the problem. Routine program monitoring and reviews that do not require an examination of records may be made unannounced.

(c) Receiving, investigating, and resolving reports of abuse or deprivation of constitutional and human rights referred to the statewide council by a local council. If a matter constitutes a threat to the life, safety, or health of clients or is multiservice-area in scope, the statewide council may exercise its powers without the necessity of a referral from a local council.

(d) Reviewing existing programs or services and new or revised programs of the state agencies that provide client services and making recommendations as to how the rights of clients are affected.

(e) Submitting an annual report to the Legislature, no later than December 30 of each calendar year, concerning

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

activities, recommendations, and complaints reviewed or developed by the council during the year.

(f) Conducting meetings at least one time ~~six times~~ a year at the call of the chair and at other times at the call of the Governor or by written request of eight ~~six~~ members of the council including the executive director.

(g) Developing and adopting uniform procedures to be used to carry out the purpose and responsibilities of the statewide council and the local councils.

(h) Supervising the operations of the local councils and monitoring the performance and activities of all local councils and providing technical assistance to members of local councils.

(i) Providing for the development and presentation of a standardized training program for members of local councils.

(j) Developing and maintaining interagency agreements between the council and the state agencies providing client services. The interagency agreements shall address the coordination of efforts and identify the roles and responsibilities of the statewide and local councils and each agency in fulfillment of their responsibilities, including access to records. The interagency agreements shall explicitly define a process that the statewide and local councils shall use to request records from the agency and shall define a process for appeal when disputes about access to records arise between agency staff and council members. Interagency agreements shall be renewed annually and shall be completed and reported to the Governor no later than February 1.

(8) (a) In the performance of its duties, the statewide council shall have:

1. Authority to receive, investigate, seek to conciliate, hold hearings on, and act on complaints that allege any abuse or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

637 deprivation of constitutional or human rights of persons who
638 receive client services from any state agency.

639 2. Access to all client records, files, and reports from
640 any program, service, or facility that is operated, funded, or
641 contracted by any state agency that provides client services and
642 any records that are material to its investigation and are in
643 the custody of any other agency or department of government. The
644 council's investigation or monitoring shall not impede or
645 obstruct matters under investigation by law enforcement agencies
646 or judicial authorities. Access shall not be granted if a
647 specific procedure or prohibition for reviewing records is
648 required by federal law and regulation that supersedes state
649 law. Access shall not be granted to the records of a private
650 licensed practitioner who is providing services outside the
651 state agency, or outside a state facility, and whose client is
652 competent and refuses disclosure.

653 3. Standing to petition the circuit court for access to
654 client records that are confidential as specified by law. The
655 petition shall be filed with notice and opportunity to be heard
656 by the state agency and shall state the specific reasons for
657 which the council is seeking access and the intended use of such
658 information. The circuit court may authorize council access to
659 the records upon a finding that access is directly related to an
660 investigation regarding the possible deprivation of
661 constitutional or human rights or the abuse of a client.
662 Original client files, agency records, and reports may not be
663 removed from a state agency, but copies must be provided to the
664 council and the local councils at the agency's expense. Under no
665 circumstance shall the council have access to confidential
666 adoption records once the adoption is finalized by a court in
667 accordance with ss. 39.0132, 63.022, and 63.162. Upon completion

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

668 of a general investigation of practices and procedures of a
669 state agency, the statewide council shall report its findings to
670 that agency.

671 Section 9. Section 409.1451, Florida Statutes, is amended
672 to read:

673 409.1451 Independent living transition services.--

674 (1) SYSTEM OF SERVICES.--

675 (a) The Department of Children and Family Services, its
676 agents, or community-based providers operating pursuant to s.
677 409.1671 shall administer a system of independent living
678 transition services to enable older children in foster care and
679 young adults who exit foster care at age 18 to make the
680 transition to self-sufficiency as adults.

681 (b) The goals of independent living transition services
682 are to assist older children in foster care and young adults who
683 were formerly in foster care to obtain life skills and education
684 for independent living and employment, to have a quality of life
685 appropriate for their age, and to assume personal responsibility
686 for becoming self-sufficient adults.

687 (c) State funds for foster care or federal funds shall be
688 used to establish a continuum of services for eligible children
689 in foster care and eligible young adults who were formerly in
690 foster care which accomplish the goals for the system of
691 independent living transition services by providing services for
692 foster children, pursuant to subsection (4), and services for
693 young adults who were formerly in foster care, pursuant to
694 subsection (5).

695 (d) For children in foster care, independent living
696 transition services are not an alternative to adoption.
697 Independent living transition services may occur concurrently

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

698 with continued efforts to locate and achieve placement in
699 adoptive families for older children in foster care.

700 (2) ELIGIBILITY.--

701 (a) The department shall serve children who have reached
702 13 years of age but are not yet 18 years of age and who are in
703 foster care by providing services pursuant to subsection (4).
704 Children to be served must meet the eligibility requirements set
705 forth for specific services as provided in this section.

706 (b) The department shall serve young adults who have
707 reached 18 years of age or were placed with a court-approved
708 nonrelative or guardian after reaching 16 years of age and have
709 spent a minimum of 6 months in foster care ~~but are not yet 23~~
710 ~~years of age and who were in foster care when they turned 18~~
711 ~~years of age~~ by providing services pursuant to subsection (5).
712 Young adults are not entitled to be served but must meet the
713 eligibility requirements set forth for specific services in this
714 section.

715 (3) PREPARATION FOR INDEPENDENT LIVING.--

716 (a) It is the intent of the Legislature for the Department
717 of Children and Family Services to assist older children in
718 foster care and young adults who exit foster care at age 18 in
719 making the transition to independent living and self-sufficiency
720 as adults. The department shall provide such children and young
721 adults with opportunities to participate in life skills
722 activities in their foster families and communities which are
723 reasonable and appropriate for their respective ages or for any
724 special needs they may have, and shall provide them with
725 services to build life ~~the~~ skills and increase their ability to
726 live independently and become self-sufficient. To support the
727 provision of opportunities for participation in age-appropriate
728 life skills activities, the department shall:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

29 1. Develop a list of age-appropriate activities and
730 responsibilities to be offered to all children involved in
731 independent living transition services and their foster parents.

732 2. Provide training for staff and foster parents to
733 address the issues of older children in foster care in
734 transitioning to adulthood, which shall include information on
735 high school completion, grant applications, vocational school
736 opportunities, supporting education and employment
737 opportunities, and ~~providing~~ opportunities to participate in
738 appropriate daily activities.

739 3. Develop procedures to maximize the authority of foster
740 parents or caregivers to approve participation in age-
741 appropriate activities of children in their care. The age-
742 appropriate activities and the authority of the foster parent or
743 caregiver shall be developed into a written plan that the foster
744 parent or caregiver, the child, and the case manager all develop
745 together, sign, and follow. This plan must include specific
746 goals and objectives and be reviewed and updated no less than
747 quarterly.

748 4. Provide opportunities for older children in foster care
749 to interact with mentors.

750 5. Develop and implement procedures for older children to
751 directly access and manage the personal allowance they receive
752 from the department in order to learn responsibility and
753 participate in age-appropriate life skills activities to the
754 extent feasible.

755 6. Make a good faith effort to fully explain, prior to
756 execution of any signature, if required, any document, report,
757 form, or other record, whether written or electronic, presented
758 to a child or young adult pursuant to this chapter and allow for
59 the recipient to ask any appropriate questions necessary to

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

760 fully understand the document. It shall be the responsibility of
761 the person presenting the document to the child or young adult
762 to comply with this subparagraph.

763 (b) It is further the intent of the Legislature that each
764 child in foster care, his or her foster parents, if applicable,
765 and the department or community-based provider set early
766 achievement and career goals for the child's postsecondary
767 educational and work experience. The department and community-
768 based providers shall implement the model set forth in this
769 paragraph to help ensure that children in foster care are ready
770 for postsecondary education and the workplace.

771 1. For children in foster care who have reached 13 years
772 of age, entering the 9th grade, their foster parents, and the
773 department or community-based provider shall ensure that the
774 child's case plan includes an educational and career path be
775 active participants in choosing a post-high school goal based
776 upon both the abilities and interests of each child. The child,
777 the foster parents, and a teacher or other school staff member
778 shall be included to the fullest extent possible in developing
779 the path. The path shall be reviewed at each judicial hearing as
780 part of the case plan and goal shall accommodate the needs of
781 children served in exceptional education programs to the extent
782 appropriate for each individual. Such children may continue to
783 follow the courses outlined in the district school board student
784 progression plan. Children in foster care, with the assistance
785 of their foster parents, and the department or community-based
786 provider shall choose one of the following postsecondary goals:
787 a. Attending a 4-year college or university, a community
788 college plus university, or a military academy;
789 b. Receiving a 2-year postsecondary degree;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

790 c. Attaining a postsecondary career and technical
791 certificate or credential; or

792 d. Beginning immediate employment, including
793 apprenticeship, after completion of a high school diploma or its
794 equivalent, or enlisting in the military.

795 2. In order to assist the child in foster care in
796 achieving his or her chosen goal, the department or community-
797 based provider shall, with the participation of the child and
798 foster parents, identify:

799 a. The core courses necessary to qualify for a chosen
800 goal.

801 b. Any elective courses which would provide additional
802 help in reaching a chosen goal.

803 c. The grade point requirement and any additional
804 information necessary to achieve a specific goal.

805 d. A teacher, other school staff member, employee of the
806 department or community-based care provider, or community
807 volunteer who would be willing to work with the child as an
808 academic advocate or mentor if foster parent involvement is
809 insufficient or unavailable.

810 3. In order to complement educational goals, the
811 department and community-based providers are encouraged to form
812 partnerships with the business community to support internships,
813 apprenticeships, or other work-related opportunities.

814 4. The department and community-based providers shall
815 ensure that children in foster care and their foster parents are
816 made aware of the postsecondary goals available and shall assist
817 in identifying the coursework necessary to enable the child to
818 reach the chosen goal.

819 (c) All children in foster care and young adults formerly
820 in foster care are encouraged to take part in learning

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

821 opportunities that result from participation in community
822 service activities.

823 (d) Children in foster care and young adults formerly in
824 foster care shall be provided with the opportunity to change
825 from one postsecondary goal to another, and each postsecondary
826 goal shall allow for changes in each individual's needs and
827 preferences. Any change, particularly a change that will result
828 in additional time required to achieve a goal, shall be made
829 with the guidance and assistance of the department or community-
830 based provider.

831 (4) SERVICES FOR CHILDREN IN FOSTER CARE.--The department
832 shall provide the following transition to independence services
833 to children in foster care who meet prescribed conditions and
834 are determined eligible by the department. The service
835 categories available to children in foster care which facilitate
836 successful transition into adulthood are:

837 (a) Preindependent living services.--

838 1. Preindependent living services include, but are not
839 limited to, life skills training, educational field trips, and
840 conferences. The specific services to be provided to a child
841 shall be determined using a preindependent living assessment.

842 2. A child who has reached 13 years of age but is not yet
843 15 years of age who is in foster care is eligible for such
844 services.

845 3. The department shall conduct an annual staffing for
846 each child who has reached 13 years of age but is not yet 15
847 years of age to ensure that the preindependent living training
848 and services to be provided as determined by the preindependent
849 living assessment are being received and to evaluate the
850 progress of the child in developing the needed independent
851 living skills.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

52 4. At the first annual staffing that occurs following a
853 child's 14th birthday, and at each subsequent staffing, the
854 department or community-based provider shall ensure that the
855 child's case plan includes an educational and career path based
856 upon both the abilities and interests of each child and shall
857 provide to each child detailed personalized information on
858 services provided by the Road-to-Independence ~~Scholarship~~
859 Program, including requirements for eligibility; on other
860 grants, scholarships, and waivers that are available and should
861 be sought by the child with assistance from the department,
862 including, but not limited to, the Bright Futures Scholarship
863 Program, as provided in ss. 1009.53-1009.538; on application
864 deadlines; and on grade requirements for such programs.

865 5. Information related to both the preindependent living
866 assessment and all staffings, which shall be reduced to writing
867 and signed by the child participant, shall be included as a part
868 of the written report required to be provided to the court at
869 each judicial review held pursuant to s. 39.701.

870 (b) Life skills services.--

871 1. Life skills services may include, but are not limited
872 to, independent living skills training, including training to
873 develop banking and budgeting skills, interviewing skills,
874 parenting skills, and time management or organizational skills,
875 educational support, employment training, and counseling.
876 Children receiving these services should also be provided with
877 information related to social security insurance benefits and
878 public assistance. The specific services to be provided to a
879 child shall be determined using an independent life skills
880 assessment.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

881 2. A child who has reached 15 years of age but is not yet
882 18 years of age who is in foster care is eligible for such
883 services.

884 3. The department shall conduct a staffing at least once
885 every 6 months for each child who has reached 15 years of age
886 but is not yet 18 years of age to ensure that the appropriate
887 independent living training and services as determined by the
888 independent life skills assessment are being received and to
889 evaluate the progress of the child in developing the needed
890 independent living skills.

891 4. The department shall provide to each child in foster
892 care during the calendar month following the child's 17th
893 birthday an independent living assessment to determine the
894 child's skills and abilities to live independently and become
895 self-sufficient. Based on the results of the independent living
896 assessment, services and training shall be provided in order for
897 the child to develop the necessary skills and abilities prior to
898 the child's 18th birthday.

899 5. Information related to both the independent life skills
900 assessment and all staffings, which shall be reduced to writing
901 and signed by the child participant, shall be included as a part
902 of the written report required to be provided to the court at
903 each judicial review held pursuant to s. 39.701.

904 (c) Subsidized independent living services.--

905 1. Subsidized independent living services are living
906 arrangements that allow the child to live independently of the
907 daily care and supervision of an adult in a setting that is not
908 required to be licensed under s. 409.175.

909 2. A child who has reached 16 years of age but is not yet
910 18 years of age is eligible for such services if he or she:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

911 a. Is adjudicated dependent under chapter 39; has been
912 placed in licensed out-of-home care for at least 6 months prior
913 to entering subsidized independent living; and has a permanency
914 goal of adoption, independent living, or long-term licensed
915 care; and

916 b. Is able to demonstrate independent living skills, as
917 determined by the department, using established procedures and
918 assessments.

919 3. Independent living arrangements established for a child
920 must be part of an overall plan leading to the total
921 independence of the child from the department's supervision. The
922 plan must include, but need not be limited to, a description of
923 the skills of the child and a plan for learning additional
924 identified skills; the behavior that the child has exhibited
925 which indicates an ability to be responsible and a plan for
926 developing additional responsibilities, as appropriate; a plan
927 for future educational, vocational, and training skills; present
928 financial and budgeting capabilities and a plan for improving
929 resources and ability; a description of the proposed residence;
930 documentation that the child understands the specific
931 consequences of his or her conduct in the independent living
932 program; documentation of proposed services to be provided by
933 the department and other agencies, including the type of service
934 and the nature and frequency of contact; and a plan for
935 maintaining or developing relationships with the family, other
936 adults, friends, and the community, as appropriate.

937 4. Subsidy payments in an amount established by the
938 department may be made directly to a child under the direct
939 supervision of a caseworker or other responsible adult approved
940 by the department.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

941 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER
942 CARE.--Based on the availability of funds, the department shall
943 provide or arrange for the following services to young adults
944 formerly in foster care who meet the prescribed conditions and
945 are determined eligible by the department. The department, or a
946 community-based care lead agency when the agency is under
947 contract with the department to provide the services described
948 under this subsection, shall develop a plan to implement those
949 services. A plan shall be developed for each community-based
950 care service area in the state. Each plan that is developed by a
951 community-based care lead agency shall be submitted to the
952 department. Each plan shall include the number of young adults
953 to be served each month of the fiscal year and specify the
954 number of young adults who will reach 18 years of age who will
955 be eligible for the plan and the number of young adults who will
956 reach 23 years of age and will be ineligible for the plan or who
957 are otherwise ineligible during each month of the fiscal year;
958 staffing requirements and all related costs to administer the
959 services and program; expenditures to or on behalf of the
960 eligible recipients; costs of services provided to young adults
961 through an approved plan for housing, transportation, and
962 employment; reconciliation of these expenses and any additional
963 related costs with the funds allocated for these services; and
964 an explanation of and a plan to resolve any shortages or
965 surpluses in order to end the fiscal year with a balanced
966 budget. The categories of services available to assist a young
967 adult formerly in foster care to achieve independence are:

968 (a) Aftercare support services.--

969 1. Aftercare support services are available to assist
970 young adults who were formerly in foster care in their efforts
971 to continue to develop the skills and abilities necessary for

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

independent living. The aftercare support services available include, but are not limited to, the following:

- a. Mentoring and tutoring.
- b. Mental health services and substance abuse counseling.
- c. Life skills classes, including credit management and preventive health activities.
- d. Parenting classes.
- e. Job and career skills training.
- f. Counselor consultations.
- g. Temporary financial assistance.
- h. Financial literacy skills training.

The specific services to be provided under this subparagraph shall be determined by an aftercare services assessment and may be provided by the department or through referrals in the community.

2. Temporary assistance provided to prevent homelessness shall be provided as expeditiously as possible and within the limitations defined by the department.

3. ~~2.~~ A young adult who has reached 18 years of age but is not yet 23 years of age who leaves foster care at 18 years of age but who requests services prior to reaching 23 years of age is eligible for such services.

(b) Road-to-Independence ~~Scholarship~~ Program.--

1. The Road-to-Independence ~~Scholarship~~ Program is intended to help eligible students who are former foster children in this state to receive the educational and vocational training needed to achieve independence. The amount of the award shall be based on the living and educational needs of the young adult and may be up to, but may not exceed, the amount of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

earnings that the student would have been eligible to earn working a 40-hour-a-week federal minimum wage job.

2. A young adult who has reached 18 years of age but is not yet 21 years of age is eligible for the initial award, and a young adult under 23 years of age is eligible for renewal awards, if he or she:

a. Was a dependent child, under chapter 39, and was living in licensed foster care or in subsidized independent living at the time of his or her 18th birthday or is currently in licensed foster care or subsidized independent living, was adopted from foster care after reaching 16 years of age, or, after spending at least 6 months in the custody of the department after reaching 16 years of age, was placed in a guardianship by the court;

b. Spent at least 6 months living in foster care before reaching his or her 18th birthday;

c. Is a resident of this state as defined in s. 1009.40; and

d. Meets one of the following qualifications:

(I) Has earned a standard high school diploma or its equivalent as described in s. 1003.43 or s. 1003.435, or has earned a special diploma or special certificate of completion as described in s. 1003.438, and has been admitted for full-time enrollment in an eligible postsecondary education institution as defined in s. 1009.533;

(II) Is enrolled full time in an accredited high school; or

(III) Is enrolled full time in an accredited adult education program designed to provide the student with a high school diploma or its equivalent.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

32 3. A young adult applying for the a Road-to-Independence
1033 Program Scholarship must apply for any other grants and
1034 scholarships for which he or she may qualify. The department
1035 shall assist the young adult in the application process and may
1036 use the federal financial aid grant process to determine the
1037 funding needs of the young adult.

1038 4. An award shall be available to a young adult who is
1039 considered a full-time student or its equivalent by the
1040 educational institution in which he or she is enrolled, unless
1041 that young adult has a recognized disability preventing full-
1042 time attendance. The amount of the award, whether it is being
1043 used by a young adult working toward completion of a high school
1044 diploma or its equivalent or working toward completion of a
1045 postsecondary education program, shall be determined based on an
1046 assessment of the funding needs of the young adult. This
1047 assessment must consider the young adult's living and
1048 educational costs and other grants, scholarships, waivers,
1049 earnings, and other income to be received by the young adult. An
1050 award shall be available only to the extent that other grants
1051 and scholarships are not sufficient to meet the living and
1052 educational needs of the young adult, but an award may not be
1053 less than \$25 in order to maintain Medicaid eligibility for the
1054 young adult as provided in s. 409.903.

1055 5. The amount of the award may be disregarded for purposes
1056 of determining the eligibility for, or the amount of, any other
1057 federal or federally supported assistance.

1058 6. 5.a. The department must advertise the criteria,
1059 application procedures, and availability of the program to:

1060 (I) Children and young adults in, leaving, or formerly in
1061 foster care.

62 (II) Case managers.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

1063 (III) Guidance and family services counselors.

1064 (IV) Principals or other relevant school administrators

1065 ~~and must ensure that the children and young adults leaving~~
1066 ~~foster care, foster parents, or family services counselors are~~
1067 ~~informed of the availability of the program and the application~~
1068 ~~procedures.~~

1069 (V) Guardians ad litem.

1070 (VI) Foster parents.

1071 ~~b. A young adult must apply for the initial award during~~
1072 ~~the 6 months immediately preceding his or her 18th birthday, and~~
1073 ~~the department shall provide assistance with the application~~
1074 ~~process. A young adult who fails to make an initial application,~~
1075 ~~but who otherwise meets the criteria for an initial award, may~~
1076 ~~make one application for the initial award if the application is~~
1077 ~~made before the young adult's 21st birthday. If the young adult~~
1078 ~~does not apply for an initial award before his or her 18th~~
1079 ~~birthday, the department shall inform that young adult of the~~
1080 ~~opportunity to apply before turning 21 years of age.~~

1081 ~~b. e. If funding for the program is available, The~~
1082 ~~department shall issue awards from the scholarship program for~~
1083 ~~each young adult who meets all the requirements of the program~~
1084 ~~to the extent funding is available.~~

1085 ~~c. d. An award shall be issued at the time the eligible~~
1086 ~~student reaches 18 years of age.~~

1087 ~~d. e. A young adult who is eligible for the Road-to-~~
1088 ~~Independence Program, transitional support services, or~~
1089 ~~aftercare services and who so desires shall be allowed to reside~~
1090 ~~with the licensed foster family or group care provider with whom~~
1091 ~~he or she was residing at the time of attaining his or her 18th~~
1092 ~~birthday or to reside in another licensed foster home or with a~~
1093 ~~group care provider arranged by the department.~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

94 e. ~~f.~~ If the award recipient transfers from one eligible
1095 institution to another and continues to meet eligibility
1096 requirements, the award must be transferred with the recipient.

1097 f. ~~g.~~ ~~Scholarship~~ Funds awarded to any eligible young
1098 adult under this program are in addition to any other services
1099 or funds provided to the young adult by the department through
1100 transitional support services or aftercare services ~~its~~
1101 ~~independent living transition services.~~

1102 g. ~~h.~~ The department shall provide information concerning
1103 young adults receiving funding through the Road-to-Independence
1104 Program Scholarship to the Department of Education for inclusion
1105 in the student financial assistance database, as provided in s.
1106 1009.94.

1107 h. ~~i.~~ ~~Scholarship~~ Funds are intended to help eligible
1108 young adults ~~students~~ who are former foster children in this
1109 state to receive the educational and vocational training needed
1110 to become independent and self-supporting. The funds shall be
1111 terminated when the young adult has attained one of four
1112 postsecondary goals under subsection (3) or reaches 23 years of
1113 age, whichever occurs earlier. In order to initiate
1114 postsecondary education, to allow for a change in career goal,
1115 or to obtain additional skills in the same educational or
1116 vocational area, a young adult may earn no more than two
1117 diplomas, certificates, or credentials. A young adult attaining
1118 an associate of arts or associate of science degree shall be
1119 permitted to work toward completion of a bachelor of arts or a
1120 bachelor of science degree or an equivalent undergraduate
1121 degree. Road-to-Independence Program Scholarship funds may not
1122 be used for education or training after a young adult has
1123 attained a bachelor of arts or a bachelor of science degree or
24 an equivalent undergraduate degree.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

1125 i. j. The department shall evaluate and renew each award
1126 annually during the 90-day period before the young adult's
1127 birthday. In order to be eligible for a renewal award for the
1128 subsequent year, the young adult must:

1129 (I) Complete the number of hours, or the equivalent
1130 considered full time by the educational institution, unless that
1131 young adult has a recognized disability preventing full-time
1132 attendance, in the last academic year in which the young adult
1133 earned an award ~~a scholarship~~, except for a young adult who
1134 meets the requirements of s. 1009.41.

1135 (II) Maintain appropriate progress as required by the
1136 educational institution, except that, if the young adult's
1137 progress is insufficient to renew the award ~~scholarship~~ at any
1138 time during the eligibility period, the young adult may restore
1139 eligibility by improving his or her progress to the required
1140 level.

1141 j. k. ~~Scholarship~~ Funds may be terminated during the
1142 interim between an award and the evaluation for a renewal award
1143 if the department determines that the award recipient is no
1144 longer enrolled in an educational institution as defined in sub-
1145 subparagraph 2.d., or is no longer a state resident. The
1146 department shall notify a recipient ~~student~~ who is terminated
1147 and inform the recipient ~~student~~ of his or her right to appeal.

1148 k. l. An award recipient who does not qualify for a
1149 renewal award or who chooses not to renew the award may
1150 subsequently apply for reinstatement. An application for
1151 reinstatement must be made before the young adult reaches 23
1152 years of age, and a student may not apply for reinstatement more
1153 than once. In order to be eligible for reinstatement, the young
1154 adult must meet the eligibility criteria and the criteria for
1155 award renewal for the ~~scholarship~~ program.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

56 (c) Transitional support services.--

1157 1. In addition to any services provided through aftercare
1158 support or the Road-to-Independence Program ~~Scholarship~~, a young
1159 adult formerly in foster care may receive other appropriate
1160 short-term funding and services, which may include financial,
1161 housing, counseling, employment, education, mental health,
1162 disability, and other services, if the young adult demonstrates
1163 that the services are critical to the young adult's own efforts
1164 to achieve self-sufficiency and to develop a personal support
1165 system. The department or community-based care provider shall
1166 work with the young adult in developing a joint transition plan
1167 that is consistent with a needs assessment identifying the
1168 specific need for transitional services to support the young
1169 adult's own efforts. The young adult must have specific tasks to
1170 complete or maintain included in the plan and be accountable for
71 the completion of or making progress towards the completion of
1172 these tasks. If the young adult and the department or community-
1173 based care provider cannot come to agreement regarding any part
1174 of the plan, the young adult may access a grievance process to
1175 its full extent in an effort to resolve the disagreement.

1176 2. A young adult formerly in foster care is eligible to
1177 apply for transitional support services if he or she has reached
1178 18 years of age but is not yet 23 years of age, was a dependent
1179 child pursuant to chapter 39, was living in licensed foster care
1180 or in subsidized independent living at the time of his or her
1181 18th birthday, and had spent at least 6 months living in foster
1182 care before that date.

1183 3. If at any time the services are no longer critical to
1184 the young adult's own efforts to achieve self-sufficiency and to
1185 develop a personal support system, they shall be terminated.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

(d) Payment of aftercare, Road-to-Independence Program scholarship, or transitional support funds.--

1. Payment of aftercare, Road-to-Independence Program scholarship, or transitional support funds shall be made directly to the recipient unless the recipient requests in writing to the community-based care lead agency, or the department, that the payments or a portion of the payments be made directly on the recipient's behalf in order to secure services such as housing, counseling, education, or employment training as part of the young adult's own efforts to achieve self-sufficiency.

2. After the completion of aftercare support services that satisfy the requirements of sub-subparagraph (a)1.h., payment of awards under the Road-to-Independence Program shall be made by direct deposit to the recipient, unless the recipient requests in writing to the community-based care lead agency or the department that:

a. The payments be made directly to the recipient by check or warrant;

b. The payments or a portion of the payments be made directly on the recipient's behalf to institutions the recipient is attending to maintain eligibility under this section; or

c. The payments be made on a two-party check to a business or landlord for a legitimate expense, whether reimbursed or not. A legitimate expense for the purposes of this sub-subparagraph shall include automobile repair or maintenance expenses; educational, job, or training expenses; and costs incurred, except legal costs, fines, or penalties, when applying for or executing a rental agreement for the purposes of securing a home or residence.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

16 3. The community-based care lead agency may purchase
1217 housing, transportation, or employment services to ensure the
1218 availability and affordability of specific transitional services
1219 thereby allowing an eligible young adult to utilize these
1220 services in lieu of receiving a direct payment. Prior to
1221 purchasing such services, the community-based care lead agency
1222 must have a plan approved by the department describing the
1223 services to be purchased, the rationale for purchasing the
1224 services, and a specific range of expenses for each service that
1225 is less than the cost of purchasing the service by an individual
1226 young adult. The plan must include a description of the
1227 transition of a young adult using these services into
1228 independence and a timeframe for achievement of independence. An
1229 eligible young adult who prefers a direct payment shall receive
1230 such payment. The plan must be reviewed annually and evaluated
31 for cost-efficiency and for effectiveness in assisting young
1232 adults in achieving independence, preventing homelessness among
1233 young adults, and enabling young adults to earn a livable wage
1234 in a permanent employment situation.

1235 4. The young adult who resides with a foster family may
1236 not be included as a child in calculating any licensing
1237 restriction on the number of children in the foster home.

1238 (e) Appeals process.--

1239 1. The Department of Children and Family Services shall
1240 adopt by rule a procedure by which a young adult may appeal an
1241 eligibility determination or the department's failure to provide
1242 aftercare, Road-to-Independence Program scholarship, or
1243 transitional support services, or the termination of such
1244 services, if such funds are available.

1245 2. The procedure developed by the department must be
46 readily available to young adults, must provide timely

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

1247 decisions, and must provide for an appeal to the Secretary of
1248 Children and Family Services. The decision of the secretary
1249 constitutes final agency action and is reviewable by the court
1250 as provided in s. 120.68.

1251 (6) ACCOUNTABILITY.--The department shall develop outcome
1252 measures for the program and other performance measures in order
1253 to maintain oversight of the program. The department shall
1254 report on the outcome measures and the department's oversight
1255 activities in a report to the Legislature. The report must be
1256 prepared and submitted to the committees of jurisdiction for
1257 issues relating to children and families in the Senate and House
1258 of Representatives no later than January 31 of each year. The
1259 report must include:

1260 (a) An analysis of performance on outcome measures
1261 developed under this section reported for each community-based
1262 care lead agency and compared with the performance of the
1263 department on the same measures;

1264 (b) A description of the department's oversight of the
1265 program including, by lead agency, any programmatic or fiscal
1266 deficiencies found, corrective actions required, and current
1267 status of compliance; and

1268 (c) Any rules adopted or proposed under the authority of
1269 this section since the last report. For the purposes of the
1270 first report, any rules adopted or proposed under the authority
1271 of this section must be included.

1272 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.--The
1273 Secretary of Children and Family Services shall establish the
1274 Independent Living Services Advisory Council for the purpose of
1275 reviewing and making recommendations concerning the
1276 implementation and operation of the independent living
1277 transition services. This advisory council shall continue to

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

78 function as specified in this subsection until the Legislature
1279 determines that the advisory council can no longer provide a
1280 valuable contribution to the department's efforts to achieve the
1281 goals of the independent living transition services.

1282 (a) Specifically, the advisory council shall assess the
1283 implementation and operation of the system of independent living
1284 transition services and advise the department on actions that
1285 would improve the ability of the independent living transition
1286 services to meet the established goals. The advisory council
1287 shall keep the department informed of problems being experienced
1288 with the services, barriers to the effective and efficient
1289 integration of services and support across systems, and
1290 successes that the system of independent living transition
1291 services has achieved. The department shall consider, but is not
1292 required to implement, the recommendations of the advisory
93 council.

1294 (b) The advisory council shall report to the appropriate
1295 substantive committees of the Senate and the House of
1296 Representatives on the status of the implementation of the
1297 system of independent living transition services; efforts to
1298 publicize the availability of aftercare support services, the
1299 Road-to-Independence ~~Scholarship~~ Program, and transitional
1300 support services; ~~specific barriers to financial aid created by~~
1301 ~~the scholarship and possible solutions;~~ the success of the
1302 services; problems identified; recommendations for department or
1303 legislative action; and the department's implementation of the
1304 recommendations contained in the Independent Living Services
1305 Integration Workgroup Report submitted to the Senate and the
1306 House substantive committees December 31, 2002. This advisory
1307 council report shall be submitted by December 31 of each year
08 that the council is in existence and shall be accompanied by a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

1309 report from the department which identifies the recommendations
1310 of the advisory council and either describes the department's
1311 actions to implement these recommendations or provides the
1312 department's rationale for not implementing the recommendations.

1313 (c) Members of the advisory council shall be appointed by
1314 the secretary of the department. The membership of the advisory
1315 council must include, at a minimum, representatives from the
1316 headquarters and district offices of the Department of Children
1317 and Family Services, community-based care lead agencies, the
1318 Agency for Workforce Innovation, the Department of Education,
1319 the Agency for Health Care Administration, the State Youth
1320 Advisory Board, Workforce Florida, Inc., the Statewide Guardian
1321 Ad Litem Office, foster parents, recipients of Road-to-
1322 Independence Program funding, and advocates for foster children.
1323 The secretary shall determine the length of the term to be
1324 served by each member appointed to the advisory council, which
1325 may not exceed 4 years.

1326 (d) The Department of Children and Family Services shall
1327 provide administrative support to the Independent Living
1328 Services Advisory Council to accomplish its assigned tasks. The
1329 advisory council shall be afforded access to all appropriate
1330 data from the department, each community-based care lead agency,
1331 and other relevant agencies in order to accomplish the tasks set
1332 forth in this section. The data collected may not include any
1333 information that would identify a specific child or young adult.

1334 (8) PERSONAL PROPERTY.--Property acquired on behalf of
1335 clients of this program shall become the personal property of
1336 the clients and is not subject to the requirements of chapter
1337 273 relating to state-owned tangible personal property. Such
1338 property continues to be subject to applicable federal laws.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

(9) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.--The department shall enroll in the Florida KidCare program, outside the open enrollment period, each young adult who is eligible as described in paragraph (2)(b) and who has not yet reached his or her 19th birthday.

(a) A young adult who was formerly in foster care at the time of his or her 18th birthday and who is 18 years of age but not yet 19, shall pay the premium for the Florida KidCare program as required in s. 409.814.

(b) A young adult who has health insurance coverage from a third party through his or her employer or who is eligible for Medicaid is not eligible for enrollment under this subsection.

(10) RULEMAKING.--The department shall adopt by rule procedures to administer this section, including balancing the goals of normalcy and safety for the youth and providing the caregivers with as much flexibility as possible to enable the youth to participate in normal life experiences. The department shall not adopt rules relating to reductions in ~~scholarship~~ awards. The department shall engage in appropriate planning to prevent, to the extent possible, a reduction in ~~scholarship~~ awards after issuance.

Section 10. Paragraph (b) of subsection (2) of section 409.175, Florida Statutes, is amended to read:

409.175 Licensure of family foster homes, residential child-caring agencies, and child-placing agencies; public records exemption.--

(2) As used in this section, the term:

(b) "Boarding school" means a school which is accredited by the Florida Council of Independent Schools or the Southern Association of Colleges and Schools; which is accredited by the Council on Accreditation, the Commission on Accreditation of

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

1370 Rehabilitation Facilities, or the Coalition for Residential
1371 Education; and which is registered with the Department of
1372 Education as a school. Its program must follow established
1373 school schedules, with holiday breaks and summer recesses in
1374 accordance with other public and private school programs. The
1375 children in residence must customarily return to their family
1376 homes or legal guardians during school breaks and must not be in
1377 residence year-round, except that this provision does not apply
1378 to foreign students. The parents of these children retain
1379 custody and planning and financial responsibility. A boarding
1380 school currently in existence and a boarding school opening and
1381 seeking accreditation has 3 years to comply with the
1382 requirements of this paragraph. A boarding school must provide
1383 proof of accreditation or documentation of the accreditation
1384 process upon request. A boarding school that cannot produce the
1385 required documentation or that has not registered with the
1386 Department of Education shall be considered to be providing
1387 residential group care without a license. The department may
1388 impose administrative sanctions or seek civil remedies as
1389 provided under paragraph (11)(a).

1390 Section 11. Subsection (2) of section 39.013, Florida
1391 Statutes, is amended to read:

1392 39.013 Procedures and jurisdiction; right to counsel.--

1393 (2) The circuit court shall have exclusive original
1394 jurisdiction of all proceedings under this chapter, of a child
1395 voluntarily placed with a licensed child-caring agency, a
1396 licensed child-placing agency, or the department, and of the
1397 adoption of children whose parental rights have been terminated
1398 under this chapter. Jurisdiction attaches when the initial
1399 shelter petition, dependency petition, or termination of
1400 parental rights petition is filed or when a child is taken into

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

01 the custody of the department. The circuit court may assume
1402 jurisdiction over any such proceeding regardless of whether the
1403 child was in the physical custody of both parents, was in the
1404 sole legal or physical custody of only one parent, caregiver, or
1405 some other person, or was in the physical or legal custody of no
1406 person when the event or condition occurred that brought the
1407 child to the attention of the court. When the court obtains
1408 jurisdiction of any child who has been found to be dependent,
1409 the court shall retain jurisdiction, unless relinquished by its
1410 order, until the child reaches 18 years of age. However, if a
1411 youth petitions the court at any time before his or her 19th
1412 birthday requesting the court's continued jurisdiction, the
1413 juvenile court may retain jurisdiction under this chapter for a
1414 period not to exceed 1 year following the youth's 18th birthday
1415 for the purpose of determining whether appropriate aftercare
16 support, Road-to-Independence Program Scholarship, transitional
1417 support, mental health, and developmental disability services,
1418 to the extent otherwise authorized by law, have been provided to
1419 the formerly dependent child who was in the legal custody of the
1420 department immediately before his or her 18th birthday. If a
1421 petition for special immigrant juvenile status and an
1422 application for adjustment of status have been filed on behalf
1423 of a foster child and the petition and application have not been
1424 granted by the time the child reaches 18 years of age, the court
1425 may retain jurisdiction over the dependency case solely for the
1426 purpose of allowing the continued consideration of the petition
1427 and application by federal authorities. Review hearings for the
1428 child shall be set solely for the purpose of determining the
1429 status of the petition and application. The court's jurisdiction
1430 terminates upon the final decision of the federal authorities.
31 Retention of jurisdiction in this instance does not affect the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

services available to a young adult under s. 409.1451. The court may not retain jurisdiction of the case after the immigrant child's 22nd birthday.

Section 12. Paragraph (a) of subsection (6) of section 39.701, Florida Statutes, is amended to read:

39.701 Judicial review.--

(6)(a) In addition to paragraphs (1)(a) and (2)(a), the court shall hold a judicial review hearing within 90 days after a youth's 17th birthday. The court shall also issue an order, separate from the order on judicial review, that the disabilities of non-age of the youth have been removed pursuant to s 743.04. The court and shall continue to hold timely judicial review hearings thereafter. In addition, the court may review the status of the child more frequently during the year prior to the youth's 18th birthday if necessary. At each review held under this subsection, in addition to any information or report provided to the court, the foster parent, legal custodian, guardian ad litem, and the child shall be given the opportunity to address the court with any information relevant to the child's best interests, particularly as it relates to independent living transition services. In addition to any information or report provided to the court, the department shall include in its judicial review social study report written verification that the child:

1. Has been provided with a current Medicaid card and has been provided all necessary information concerning the Medicaid program sufficient to prepare the youth to apply for coverage upon reaching age 18, if such application would be appropriate.

2. Has been provided with a certified copy of his or her birth certificate and, if the child does not have a valid

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

1462 driver's license, a Florida identification card issued under s.
1463 322.051.

1464 3. Has been provided information relating to Social
1465 Security Insurance benefits if the child is eligible for these
1466 benefits. If the child has received these benefits and they are
1467 being held in trust for the child, a full accounting of those
1468 funds must be provided and the child must be informed about how
1469 to access those funds.

1470 4. Has been provided with information and training related
1471 to budgeting skills, interviewing skills, and parenting skills.

1472 5. Has been provided with all relevant information related
1473 to the Road-to-Independence Program Scholarship, including, but
1474 not limited to, eligibility requirements, forms necessary to
1475 apply, and assistance in completing the forms. The child shall
1476 also be informed that, if he or she is eligible for the Road-to-
1477 Independence Scholarship Program, he or she may reside with the
1478 licensed foster family or group care provider with whom the
1479 child was residing at the time of attaining his or her 18th
1480 birthday or may reside in another licensed foster home or with a
1481 group care provider arranged by the department.

1482 6. Has an open bank account, or has identification
1483 necessary to open an account, and has been provided with
1484 essential banking skills.

1485 7. Has been provided with information on public assistance
1486 and how to apply.

1487 8. Has been provided a clear understanding of where he or
1488 she will be living on his or her 18th birthday, how living
1489 expenses will be paid, and what educational program or school he
1490 or she will be enrolled in.

1491 9. Has been provided with notice of the youth's right to
1492 petition for the court's continuing jurisdiction for 1 year

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

after the youth's 18th birthday as specified in s. 39.013(2) and with information on how to obtain access to the court.

10. Has been encouraged to attend all judicial review hearings occurring after his or her 17th birthday.

Section 13. Paragraph (c) of subsection (2) of section 1009.25, Florida Statutes, is amended to read:

1009.25 Fee exemptions.--

(2) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides postsecondary career programs, community college, or state university:

(c) A student who ~~the state has determined is eligible for the Road-to-Independence Scholarship, regardless of whether an award is issued or not, or a student who~~ is or was at the time he or she reached 18 years of age in the custody of the Department of Children and Family Services or a relative under s. 39.5085, ~~or~~ who is adopted from the Department of Children and Family Services after May 5, 1997, or who, after spending at least 6 months in the custody of the department after reaching 16 years of age, was placed in a guardianship by the court. Such exemption includes fees associated with enrollment in career-preparatory instruction and completion of the college-level communication and computation skills testing program. Such an exemption is available to any student who was in the custody of a relative under s. 39.5085 at the time he or she reached 18 years of age or was adopted from the Department of Children and Family Services after May 5, 1997; however, the exemption remains valid for no more than 4 years after the date of graduation from high school.

Section 14. Section 743.045, Florida Statutes, is created to read:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

24 743.045 Removal of disabilities of minors; executing
1525 contracts for a residential lease.--For the sole purpose of
1526 ensuring that youth in foster care will be able to execute a
1527 contract for the lease of residential property in order that the
1528 day of the youth's 18th birthday, the disability of nonage of
1529 minors is removed for all youth who have reached the age of 17
1530 years, who have been adjudicated dependent, and who are in the
1531 legal custody of the Department of Children and Family Services
1532 through foster care or subsidized independent living. These
1533 youth are authorized to make and execute contracts, releases,
1534 and all other instruments necessary for the purpose of entering
1535 into a contract for the lease of residential property upon the
1536 youth's 18th birthday. The contracts or other instruments made
1537 by the youth shall have the same effect as though they were the
1538 obligations of persons who were not minors. Youth seeking to
39 enter into such lease contracts or execute other necessary
1540 instruments that are incidental to entering into a lease must
1541 present an order from a court of competent jurisdiction removing
1542 the disabilities of nonage of the minor under this section.

1543 Section 15. Subsection (4) of section 409.903, Florida
1544 Statutes, is amended to read:

1545 409.903 Mandatory payments for eligible persons.--The
1546 agency shall make payments for medical assistance and related
1547 services on behalf of the following persons who the department,
1548 or the Social Security Administration by contract with the
1549 Department of Children and Family Services, determines to be
1550 eligible, subject to the income, assets, and categorical
1551 eligibility tests set forth in federal and state law. Payment
1552 on behalf of these Medicaid eligible persons is subject to the
1553 availability of moneys and any limitations established by the
54 General Appropriations Act or chapter 216.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

(4) A child who is eligible under Title IV-E of the Social Security Act for subsidized board payments, foster care, or adoption subsidies, and a child for whom the state has assumed temporary or permanent responsibility and who does not qualify for Title IV-E assistance but is in foster care, shelter or emergency shelter care, or subsidized adoption. This category includes any young adult who is eligible to receive services under s. 409.1451(5), until the young adult reaches the age of 20, without regard to any income, resource, or categorical eligibility test that is otherwise required. This category also includes a person who, as a child ~~who~~ was eligible under Title IV-E of the Social Security Act for foster care or the state-provided foster care, ~~who exited foster care due to attaining the age of 18 years,~~ and who is a participant in the ~~has been awarded a~~ Road-to-Independence Program Scholarship.

Section 16. This act shall take effect July 1, 2006, only if a specific appropriation is made in the General Appropriations Act for fiscal year 2006-2007.

===== T I T L E A M E N D M E N T =====

Remove the entire title and insert:

A bill to be entitled

An act relating to the welfare of children; amending s. 39.001, F.S.; providing additional purposes of ch. 39, F.S.; revising legislative intent; creating the Office of Child Abuse Prevention within the Executive Office of the Governor; directing the Governor to appoint a director of the office; providing duties and responsibilities of the director; providing procedures for evaluation of child abuse prevention programs; requiring a report to the Governor, Legislature, secretaries of certain state

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

agencies, and certain committees of the Legislature;
providing for information to be included in the report;
providing for the development and implementation of a
state plan for the coordination of child abuse prevention
programs and services; establishing a Child Abuse
Prevention Advisory Council; providing for membership,
duties, and responsibilities; requiring requests for
funding to be based on the state plan; providing for
review and revision of the state plan; granting rulemaking
authority to the Executive Office of the Governor;
requiring the Legislature to evaluate the office by a
specified date; amending s. 39.0014, F.S.; providing
responsibilities of the office under ch. 39, F.S.;
amending s. 39.01, F.S.; providing and revising
definitions; amending s. 39.202, F.S.; providing access to
records for agencies that provide early intervention and
prevention services; amending ss. 39.0015 and 39.302,
F.S.; conforming cross-references; amending s. 402.164,
F.S.; establishing legislative intent for the statewide
and local advocacy councils; providing a definition;
amending s. 402.165, F.S.; providing guidelines for
selection of the executive director of the Florida
Statewide Advocacy Council; establishing a process for
investigating reports of abuse; revising council meeting
requirements; providing requirements for interagency
agreements; requiring interagency agreements to be renewed
annually and submitted to the Governor by a specified
date; amending s. 409.1451, F.S., relating to independent
living transition services; revising eligibility
requirements for certain young adults; revising duties of
the Department of Children and Family Services regarding

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

1617 independent living transition services; including
1618 additional parties in the review of a child's academic
1619 performance; requiring the department or a community-based
1620 care lead agency under contract with the department to
1621 develop a plan for delivery of such services; requiring
1622 additional aftercare support services; providing
1623 additional qualifications to receive an award under the
1624 Road-to-Independence Program; deleting certain time
1625 restrictions for submitting applications; providing
1626 procedures for the payment of awards; requiring
1627 collaboration between certain parties in the development
1628 of a plan regarding the provision of transitional
1629 services; requiring a community-based care lead agency to
1630 develop a plan for purchase and delivery of such services
1631 and requiring department approval prior to implementation;
1632 requiring the department to submit a report annually to
1633 the Legislature on performance, oversight, and rule
1634 development; permitting the Independent Living Services
1635 Advisory Council to have access to certain data held by
1636 the department and certain agencies; amending s. 409.175,
1637 F.S.; revising the definition of the term "boarding
1638 school" to require such schools to meet certain standards
1639 within a specified timeframe; amending ss. 39.013, 39.701,
1640 and 1009.25, F.S.; conforming references to changes made
1641 by the act; requiring the court to issue an order,
1642 separate from other judicial review order; amending s.
1643 743.045, F.S.; removing the disability of nonage for
1644 certain youth in the legal custody of the Department of
1645 Children and Family Services who are in foster care;
1646 amending s. 409.903, F.S.; providing eligibility criteria

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

for certain persons for medical assistance payments;
providing an effective date.

WHEREAS, in 2002, Florida was among only three other states and the District of Columbia to have the highest national child maltreatment rate, and

WHEREAS, during 2002, 142,547 investigations of abuse or neglect, involving 254,856 children, were completed, approximately one-half of which were substantiated or indicated the presence of abuse or neglect, and

WHEREAS, a Florida child is abused or neglected every 4 minutes and 10,000 Florida children are abused or neglected per month, and

WHEREAS, in 2004, according to the Florida Child Abuse Death Review Team, at least 111 Florida children died from abuse or neglect at the hands of their parents or caretakers, an average rate of two dead children each week, and

WHEREAS, according to the Centers for Disease Control and Prevention, the cost of failing to prevent child abuse and neglect in 2001 equaled \$94 billion a year nationally, and

WHEREAS, the direct costs of failing to prevent child abuse and neglect include the costs associated with the utilization of law enforcement services, the health care system, the mental health system, the child welfare system, and the judicial system, while the indirect costs include the provision of special education and mental health and health care, a rise in the incidence of juvenile delinquency, lost productivity to society, and adult criminality, and

WHEREAS, although prevention of child maltreatment will save lives and conserve resources, and despite the potential long-term benefit of preventing child abuse and neglect, only a

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

1678 small percentage of all resources specifically earmarked for
1679 child maltreatment in the state are actually devoted to the
1680 prevention of child maltreatment, and

1681 WHEREAS, the 2005-2006 General Appropriations Act provided
1682 a total funding of \$44 million for child abuse prevention and
1683 intervention to the Department of Children and Family Services,
1684 which amount represents less than 2 percent of the department's
1685 budget, and

1686 WHEREAS, Healthy Families Florida is a community-based,
1687 voluntary home visiting program that received approximately
1688 \$28.4 million for the 2005-2006 fiscal year from the Department
1689 of Children and Family Services and contracts with 37 community-
1690 based organizations to provide services in targeted high-risk
1691 areas in 23 counties and to provide services in 30 total
1692 counties, and

1693 WHEREAS, Healthy Families Florida participants had 20
1694 percent less child maltreatment than all families in the Healthy
1695 Families Florida target service areas in spite of the fact that,
1696 in general, participants are at a significantly higher risk for
1697 child maltreatment than the overall population, and

1698 WHEREAS, the Department of Children and Family Services,
1699 the Department of Education, the Department of Health, the
1700 Department of Juvenile Justice, the Department of Law
1701 Enforcement, the Agency for Persons with Disabilities, and the
1702 Agency for Workforce Innovation all have programs that focus on
1703 primary and secondary prevention of child abuse and neglect, but
1704 there is no statewide coordination or single state agency
1705 responsible for oversight of these programs, and

1706 WHEREAS, a statewide coordinated effort would result in
1707 better communication among agencies and provide for easier

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

08 access and more efficiency in the delivery of abuse and neglect
1709 services in the communities, NOW, THEREFORE,

1710

Page 122

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Health & Families
Council

Bill Number: HB 1215

Meeting Date: 4/25/06

Date Received:

Place: Robert Hall

Date Reported:

Time: 9:00 AM

Subject: rural health care

Council/Committee Action:

- | | |
|--|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	1		2		2a		3	
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bean								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Brandenburg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Galvano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Garcia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	H Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Harrell			<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Homan			<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Robaina			<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sobel			<input checked="" type="checkbox"/>	<input type="checkbox"/>			<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vana								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
6	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

*Speaker Codes

Lobbyist: L	Proponent: P
State Employee: SE	Opponent: O
General Public: G	Information only: I
Requested to Speak: R	

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Health & Families
Council

Bill Number: _____

Meeting Date: _____

Date Received: _____

Place: _____

Date Reported: _____

Time: _____

Subject: _____

Council/Committee Action:

- | | |
|--|--|
| <input type="checkbox"/> Favorable
<input type="checkbox"/> Favorable w/ _____ amendments
<input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute
<input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Retained for Reconsideration
<input type="checkbox"/> Reconsidered
<input type="checkbox"/> Temporarily Postponed
<input type="checkbox"/> Unfavorable |
|--|--|

Final Vote On Bill		MEMBERS	4		5		6		7	
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
		Bean								
		Brandenburg								
		Galvano								
		Garcia								
		H Gibson								
		Harrell								
		Homan								
		Robaina								
		Sobel								
		Vana								
		Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

***Speaker Codes**

Lobbyist: L State Employee: SE General Public: G Requested to Speak: R	Proponent: P Opponent: O Information only: I
---	--

Amendments to HB 7215 Rural Health Care

These amendments remove fiscal impacts from the bill and incorporate changes worked out with the Senate. The amendments preserve existing statutory provisions for Rural Hospital Capital Improvement grants and implementation of Rural Health Networks.

Amendment 1, lines 164-192

Conforms language on an advisory council, and requires the Office of Rural Health to report to the Legislature and make recommendations to improve rural health care delivery.

Amendment 2, lines 193-518

Replaces Section 2 of the bill to incorporate House and Senate consensus language on implementation of rural health networks. It includes provisions for performance standards and grants to improve rural health infrastructure.

Amendment 2a, to amendment 2 by Rep. Robaina, line 265

Requires Rural Health Networks to contract with Health Planning Councils to support preparation of rural health network development plans.

Amendment 3, lines 708-791

Restores existing provisions for Rural Hospital Capital Improvement Grants, including the minimum \$100,000 support for each of the 30 rural hospitals in the state.

Amendment 4, lines 792-1056

Deletes sections 7 & 8 of the bill to remove provisions for receivership and the Trust Fund.

Amendment 5, lines 1091-1092

Removes language providing for the PSN grant program to administer the hospital capital improvement and financially distressed hospital programs and corrects a technical restriction on rural county participation in Rural Provider Service Network grants.

Amendment 6, lines 1153-1239

Removes the 10% bonus in Medicaid payments to rural physicians because of its fiscal impact.

Amendment 7, by Rep. Richardson, between 1295-1296

Establishes the Office of Minority Health in the Department of Health to address health disparities in the state, by coordinating existing efforts and promoting state and local initiatives.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 7215**

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

Council/Committee hearing bill: Health & Families Council
Representative(s) Garcia offered the following:

Amendment (with directory and title amendments)

Remove line(s) 164-192 and insert:

(6) ADVISORY COUNCIL.--The Secretary of Health and the
Secretary of Health Care Administration shall each appoint no
more than five members with relevant health care operations
management, practice, and policy experience to an advisory
council to advise the office regarding its responsibilities
under this section and ss. 381.0406, 395.6061, and 395.6063.
Members must be appointed for 4-year staggered terms and may be
reappointed to a second term of office. Members shall serve
without compensation but are entitled to reimbursement for per
diem and travel expenses as provided in s. 112.061. The council
may appoint technical advisory teams as needed. The department
shall provide staff and other administrative assistance
reasonably necessary to assist the advisory council in carrying
out its duties.

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

21 (7) REPORTS.--Beginning January 1, 2007, and annually
22 thereafter, the Office of Rural Health shall submit a report to
23 the Governor, the President of the Senate, and the Speaker of
24 the House of Representatives summarizing the activities of the
25 office, including the grants obtained or administered by the
26 office and the status of rural health networks and rural
27 hospitals in the state. The report must also include
28 recommendations for improvements in health care delivery in
29 rural areas of the state.

30 (8)(6) RESEARCH PUBLICATIONS AND SPECIAL STUDIES.--The
31 office shall:

- 32 (a) Conduct policy and research studies.
33 (b) Conduct health status studies of rural residents.
34 (c) Collect relevant data on rural health care issues for
35 use in department policy development.

36 (9)(7) APPROPRIATION.--The Legislature shall appropriate
37 such sums as are necessary to support the Office of Rural
38 Health.

39 ===== T I T L E A M E N D M E N T =====

40 Remove line(s) 10-11 and insert:
41 requiring a report to the Governor and

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. **HB 7215**

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED ✓ (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

Council/Committee hearing bill: Health & Families Council
Representative(s) Garcia offered the following:

Amendment (with directory and title amendments)

Remove line(s) 193-518 and insert:

Section 2. Section 381.0406, Florida Statutes, is amended
to read:

381.0406 Rural health networks.--

(1) LEGISLATIVE FINDINGS AND INTENT.--

(a) The Legislature finds that, in rural areas, access to
health care is limited and the quality of health care is
negatively affected by inadequate financing, difficulty in
recruiting and retaining skilled health professionals, and the
~~because of a~~ migration of patients to urban areas for general
acute care and specialty services.

(b) The Legislature further finds that the efficient and
effective delivery of health care services in rural areas
requires:

1. The integration of public and private resources;

2. The introduction of innovative outreach methods;

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

22 3. The adoption of quality improvement and cost-
23 effectiveness measures;

24 4. The organization of health care providers into joint
25 contracting entities;

26 5. Establishing referral linkages;

27 6. The analysis of costs and services in order to prepare
28 health care providers for prepaid and at-risk financing; and

29 7. The coordination of health care providers.

30 (c) The Legislature further finds that the availability of
31 a continuum of quality health care services, including
32 preventive, primary, secondary, tertiary, and long-term care, is
33 essential to the economic and social vitality of rural
34 communities.

35 (d) The Legislature further finds that health care
36 providers in rural areas are not prepared for market changes
37 such as the introduction of managed care and capitation-
38 reimbursement methodologies into health care services.

39 (e)(d) The Legislature further finds that the creation of
40 rural health networks can help to alleviate these problems.
41 Rural health networks shall act in the broad public interest
42 and, to the extent possible, seek to improve the accessibility,
43 quality, and cost-effectiveness of rural health care by
44 planning, developing, coordinating, and providing ~~be structured~~
45 ~~to provide~~ a continuum of quality health care services for rural
46 residents through the cooperative efforts of rural health
47 network members and other health care providers.

48 (f)(e) The Legislature further finds that rural health
49 networks shall have the goal of increasing the financial
50 stability of statutory rural hospitals by linking rural hospital
51 services to other services in a continuum of health care

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

52 services and by increasing the utilization of statutory rural
53 hospitals whenever for appropriate health care services whenever
54 ~~feasible, which shall help to ensure their survival and thereby~~
55 support the economy and protect the health and safety of rural
56 residents.

57 ~~(g)(f)~~ Finally, the Legislature finds that rural health
58 networks may serve as "laboratories" to determine the best way
59 of organizing rural health services and linking to out-of-area
60 services that are not available locally in order, to move the
61 state closer to ensuring that everyone has access to health
62 care, and to promote cost containment efforts. The ultimate
63 goal of rural health networks shall be to ensure that quality
64 health care is available and efficiently delivered to all
65 persons in rural areas.

66 (2) DEFINITIONS.--

67 (a) "Rural" means an area having with a population density
68 of fewer less than 100 individuals per square mile or an area
69 defined by the most recent United States Census as rural.

70 (b) "Health care provider" means any individual, group, or
71 entity, public or private, which that provides health care,
72 including+ preventive health care, primary health care,
73 secondary and tertiary health care, hospital in-hospital health
74 care, public health care, and health promotion and education.

75 (c) "Rural health network" or "network" means a nonprofit
76 legal entity, whose members consist ~~consisting~~ of rural and
77 urban health care providers and others, and which that is
78 established organized to plan, develop, organize, and deliver
79 health care services on a cooperative basis in a rural area,
80 ~~except for some secondary and tertiary care services.~~

81 (3) NETWORK MEMBERSHIP.--

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

82 (a) Because each rural area is unique, with a different
83 health care provider mix, health care provider membership may
84 vary, but all networks shall include members that provide health
85 promotion and disease-prevention services, public health
86 services, comprehensive primary care, emergency medical care,
87 and acute inpatient care.

88 (b) Each county health department shall be a member of the
89 rural health network whose service area includes the county in
90 which the county health department is located. Federally
91 qualified health centers and emergency medical services
92 providers are encouraged to become members of the rural health
93 networks in the areas in which their patients reside or receive
94 services.

95 (c) ~~(4)~~ Network membership shall be available to all health
96 care providers in the network service area if, ~~provided that~~
97 they render care to all patients referred to them from other
98 network members; ~~;~~ comply with network quality assurance, quality
99 improvement, and utilization-management and risk management
100 requirements; and, ~~abide by the terms and conditions of network~~
101 provider agreements in paragraph (11)(c), and provide services
102 ~~at a rate or price equal to the rate or price negotiated by the~~
103 network.

104 (4) ~~(5)~~ NETWORK SERVICE AREAS.--Network service areas are
105 ~~do~~ not required ~~need~~ to conform to local political boundaries or
106 state administrative district boundaries. The geographic area
107 of one rural health network, however, may not overlap the
108 territory of any other rural health network.

109 (5) ~~(6)~~ NETWORK FUNCTIONS.-- Networks shall:

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

110 (a) Seek to develop linkages with provisions for referral
111 to tertiary inpatient care, specialty physician care, and to
112 other services that are not available in rural service areas.

113 (b) ~~(7)~~ Networks shall Make available health promotion,
114 disease prevention, and primary care services, in order to
115 improve the health status of rural residents and to contain
116 health care costs.

117 ~~(8) Networks may have multiple points of entry, such as~~
118 ~~through private physicians, community health centers, county~~
119 ~~health departments, certified rural health clinics, hospitals,~~
120 ~~or other providers; or they may have a single point of entry.~~

121 (c) ~~(9)~~ Encourage members through training and educational
122 programs to adopt standards of care, and promote the evidence-
123 based practice of medicine. Networks shall establish standard
124 protocols, coordinate and share patient records, and develop
125 patient information exchange systems in order to improve quality
126 and access to services.

127 (d) Develop quality-improvement programs and train network
128 members and other health care providers in the use of such
129 programs.

130 (e) Develop disease-management systems and train network
131 members and other health care providers in the use of such
132 systems.

133 (f) Promote outreach to areas with a high need for
134 services.

135 (g) Seek to develop community care alternatives for elders
136 who would otherwise be placed in nursing homes.

137 (h) Emphasize community care alternatives for persons with
138 mental health and substance abuse disorders who are at risk of
139 being admitted to an institution.

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

140 (i) Develop and implement a rural health infrastructure
141 development plan for an integrated system of care that is
142 responsive to the unique local health needs and the area health
143 care services market. Each rural health infrastructure
144 development plan must address strategies to improve access to
145 specialty care, train health care providers to use standards of
146 care for chronic illness, develop disease-management capacity,
147 and link to state and national quality-improvement initiatives.
148 The initial development plan must be submitted to the Office of
149 Rural Health for review and approval no later than July 1, 2007,
150 and thereafter the plans must be updated and submitted to the
151 Office of Rural Health every 3 years.

152 ~~(10) Networks shall develop risk management and quality~~
153 ~~assurance programs for network providers.~~

154 ~~(6)~~(11) NETWORK GOVERNANCE AND ORGANIZATION.--

155 (a) Networks shall be incorporated as not-for-profit
156 corporations under chapter 617, with articles of incorporation
157 that set forth purposes consistent with this section ~~the laws of~~
158 ~~the state.~~

159 (b) Each network ~~Networks~~ shall have an independent a
160 board of directors that derives membership from local
161 government, health care providers, businesses, consumers,
162 advocacy groups, and others. Boards of other community health
163 care entities may not serve in whole as the board of a rural
164 health network; however, some overlap of board membership with
165 other community organizations is encouraged. Network staff must
166 provide an annual orientation and strategic planning activity
167 for board members.

168 (c) Network boards of directors shall have the
169 responsibility of determining the content of health care

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

170 provider agreements that link network members. The written
171 agreements between the network and its health care provider
172 members must specify participation in the essential functions of
173 the network and shall specify:

- 174 1. Who provides what services.
- 175 2. The extent to which the health care provider provides
176 care to persons who lack health insurance or are otherwise
177 unable to pay for care.
- 178 3. The procedures for transfer of medical records.
- 179 4. The method used for the transportation of patients
180 between providers.
- 181 5. Referral and patient flow including appointments and
182 scheduling.
- 183 6. Payment arrangements for the transfer or referral of
184 patients.

185 (d) There shall be no liability on the part of, and no
186 cause of action of any nature shall arise against, any member of
187 a network board of directors, or its employees or agents, for
188 any lawful action taken by them in the performance of their
189 administrative powers and duties under this subsection.

190 (7)-(12) NETWORK PROVIDER MEMBER SERVICES.--

191 (a) Networks, to the extent feasible, shall seek to
192 develop services that provide for a continuum of care for all
193 residents ~~patients~~ served by the network. Each network shall
194 recruit members that can provide ~~include~~ the following core
195 services: disease prevention, health promotion, comprehensive
196 primary care, emergency medical care, and acute inpatient care.
197 Each network shall seek to ensure the availability of
198 comprehensive maternity care, including prenatal, delivery, and
199 postpartum care for uncomplicated pregnancies, either directly,

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

by contract, or through referral agreements. Networks shall, to the extent feasible, develop local services and linkages among health care providers to also ensure the availability of the following services: ~~within the specified timeframes, either directly, by contract, or through referral agreements:~~

~~1. Services available in the home.~~

~~1.a. Home health care.~~

~~2.b. Hospice care.~~

~~2. Services accessible within 30 minutes travel time or less.~~

~~3.a. Emergency medical services, including advanced life support, ambulance, and basic emergency room services.~~

~~4.b. Primary care, including-~~

~~e. prenatal and postpartum care for uncomplicated pregnancies.~~

~~5.d. Community-based services for elders, such as adult day care and assistance with activities of daily living.~~

~~6.e. Public health services, including communicable disease control, disease prevention, health education, and health promotion.~~

~~7.f. Outpatient mental health ~~psychiatric~~ and substance abuse services.~~

~~3. Services accessible within 45 minutes travel time or less.~~

~~8.a. Hospital acute inpatient care for persons whose illnesses or medical problems are not severe.~~

~~9.b. Level I obstetrical care, which is Labor and delivery for low-risk patients.~~

~~10.e. Skilled nursing services and, long-term care, including nursing home care.~~

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

(b) Networks shall seek to foster linkages with out-of-area services to the extent feasible to ensure the availability of:

1.d. Dialysis.

2.e. Osteopathic and chiropractic manipulative therapy.

~~4. Services accessible within 2 hours travel time or less.~~

3.a. Specialist physician care.

4.b. Hospital acute inpatient care for severe illnesses and medical problems..

~~5.e. Level II and III obstetrical care, which is Labor and delivery care for high-risk patients and neonatal intensive care.~~

6.d. Comprehensive medical rehabilitation.

7.e. Inpatient mental health ~~psychiatric~~ and substance abuse services.

8.f. Magnetic resonance imaging, lithotripter treatment, oncology, advanced radiology, and other technologically advanced services.

9.g. Subacute care.

(8) COORDINATION WITH OTHER ENTITIES.--

(a) Area health education centers and health planning councils shall participate in the rural health networks' preparation of development plans. The Department of Health may require written memoranda of agreement between a network and an area health education center or health planning council.

(b) Rural health networks shall initiate activities, in coordination with area health education centers, to carry out the objectives of the adopted development plan, including continuing education for health care practitioners performing functions such as disease management, continuous quality

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

260 improvement, telemedicine, long-distance learning, and the
261 treatment of chronic illness using standards of care. As used in
262 this section, the term "telemedicine" means the use of
263 telecommunications to deliver or expedite the delivery of health
264 care services.

265 (c) Health planning councils shall support the preparation
266 of development plans through data collection and analysis in
267 order to assess the health status of area residents and the
268 capacity of local health services.

269 (d) ~~(b)~~ Networks shall actively participate with area
270 health education center programs, whenever feasible, in
271 developing and implementing recruitment, training, and retention
272 programs directed at positively influencing the supply and
273 distribution of health care professionals serving in, or
274 receiving training in, network areas.

275 ~~(c) As funds become available, networks shall emphasize~~
276 ~~community care alternatives for elders who would otherwise be~~
277 ~~placed in nursing homes.~~

278 ~~(d) To promote the most efficient use of resources,~~
279 ~~networks shall emphasize disease prevention, early diagnosis and~~
280 ~~treatment of medical problems, and community care alternatives~~
281 ~~for persons with mental health and substance abuse disorders who~~
282 ~~are at risk to be institutionalized.~~

283 (e) ~~(13)~~ TRAUMA SERVICES.--In those network areas having
284 which have an established trauma agency approved by the
285 Department of Health, the network shall seek the participation
286 of that trauma agency ~~must be a participant in the network.~~
287 Trauma services provided within the network area must comply
288 with s. 395.405.

289 (9) ~~(14)~~ NETWORK FINANCING.--

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

(a) Networks may use all sources of public and private funds to support network activities. Nothing in this section prohibits networks from becoming managed care providers.

(b) The Department of Health shall establish grant programs to provide funding to support the administrative costs of developing and operating rural health networks.

(10) NETWORK PERFORMANCE STANDARDS.--The Department of Health shall develop and enforce performance standards for rural health network operations grants and rural health infrastructure development grants.

(a) Operations grant performance standards must include, but are not limited to, standards that require the rural health network to:

1. Have a qualified board of directors that meets at least quarterly.

2. Have sufficient staff who have the qualifications and experience to perform the requirements of this section, as assessed by the Office of Rural Health, or a written plan to obtain such staff.

3. Comply with the department's grant-management standards in a timely and responsive manner.

4. Comply with the department's standards for the administration of federal grant funding, including assistance to rural hospitals.

5. Demonstrate a commitment to network activities from area health care providers and other stakeholders, as described in letters of support.

(b) Rural health infrastructure development grant performance standards must include, but are not limited to, standards that require the rural health network to:

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

320 1. During the 2006-2007 fiscal year develop a development
321 plan and, after July 1, 2007, have a development plan that has
322 been reviewed and approved by the Office of Rural Health.

323 2. Have two or more successful network-development
324 activities, such as:

325 a. Management of a network-development or outreach grant
326 from the federal Office of Rural Health Policy;

327 b. Implementation of outreach programs to address chronic
328 disease, infant mortality, or assistance with prescription
329 medication;

330 c. Development of partnerships with community and faith-
331 based organizations to address area health problems;

332 d. Provision of direct services, such as clinics or mobile
333 units;

334 e. Operation of credentialing services for health care
335 providers or quality-assurance and quality-improvement
336 initiatives that, whenever possible, are consistent with state
337 or federal quality initiatives;

338 f. Support for the development of community health
339 centers, local community health councils, federal designation as
340 a rural critical access hospital, or comprehensive community
341 health planning initiatives; and

342 g. Development of the capacity to obtain federal, state,
343 and foundation grants.

344 (11)(15) NETWORK IMPLEMENTATION.--As funds become
345 available, networks shall be developed and implemented in two
346 phases.

347 (a) Phase I shall consist of a network planning and
348 development grant program. Planning grants shall be used to
349 organize networks, incorporate network boards, and develop

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

350 formal provider agreements as provided for in this section. The
351 Department of Health shall develop a request-for-proposal
352 process to solicit grant applications.

353 (b) Phase II shall consist of a network operations grant
354 program. As funds become available, certified networks that meet
355 performance standards shall be eligible to receive grant funds
356 to be used to help defray the costs of rural health network
357 infrastructure development, patient care, and network
358 administration. Rural health network infrastructure development
359 includes, but is not limited to: recruitment and retention of
360 primary care practitioners; enhancements of primary care
361 services through the use of mobile clinics; development of
362 preventive health care programs; linkage of urban and rural
363 health care systems; design and implementation of automated
364 patient records, outcome measurement, quality assurance, and
365 risk management systems; establishment of one-stop service
366 delivery sites; upgrading of medical technology available to
367 network providers; enhancement of emergency medical systems;
368 enhancement of medical transportation; formation of joint
369 contracting entities composed of rural physicians, rural
370 hospitals, and other rural health care providers; establishment
371 of comprehensive disease-management programs that meet Medicaid
372 requirements; establishment of regional quality-improvement
373 programs involving physicians and hospitals consistent with
374 state and national initiatives; establishment of speciality
375 networks connecting rural primary care physicians and urban
376 specialists; development of regional broadband
377 telecommunications systems that have the capacity to share
378 patient information in a secure network, telemedicine, and long-
379 distance learning capacity; and linkage between training

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

programs for health care practitioners and the delivery of
health care services in rural areas and development of
~~telecommunication capabilities~~. A Phase II award may occur in
the same fiscal year as a Phase I award.

(12)(16) CERTIFICATION.--For the purpose of certifying
networks that are eligible for Phase II funding, the Department
of Health shall certify networks that meet the criteria
delineated in this section and the rules governing rural health
networks. The Office of Rural Health in the Department of Health
shall monitor rural health networks in order to ensure continued
compliance with established certification and performance
standards.

(13)(17) RULES.--The Department of Health shall establish
rules that govern the creation and certification of networks,
the provision of grant funds under Phase I and Phase II, and the
establishment of performance standards including establishing
~~outcome measures~~ for networks.

===== T I T L E A M E N D M E N T =====

Remove line(s) 24-25 and insert:
and health planning councils; establishing performance
standards; establishing a grant program for funding rural

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2a (for drafter's use only)

Bill No. **HB 7215**

COUNCIL/COMMITTEE ACTION

ADOPTED	— (Y/N)
ADOPTED AS AMENDED	— (Y/N)
ADOPTED W/O OBJECTION	<u>1</u> (Y/N)
FAILED TO ADOPT	— (Y/N)
WITHDRAWN	— (Y/N)
OTHER	—

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Robaina offered the following:

3
4 **Amendment to Amendment 2 (with directory and title**
5 **amendments)**

6 Remove line(s) 265 and insert:

7
8 (c) Rural health networks shall contract with local health
9 planning councils to support the preparation

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

Bill No. **HB 7215**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Garcia offered the following:

3
4 **Amendment (with directory and title amendments)**

5 Remove line(s) 708-791 and insert:

6
7 to the department for a capital improvement grant to acquire,
8 repair, improve, or upgrade systems, facilities, or equipment.

9 The grant application must provide information that includes:

10 (a) A statement indicating the problem the rural hospital
11 proposes to solve with the grant funds.+

12 (b) The strategy proposed to resolve the problem.+

13 (c) The organizational structure, financial system, and
14 facilities that are essential to the proposed solution.+

15 (d) The projected longevity of the proposed solution after
16 the grant funds are expended.+

17 (e) Evidence of participation in a rural health network as
18 defined in s. 381.0406 and evidence that the application is
19 consistent with the required rural health infrastructure
20 development plan;

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

(f) Evidence that the rural hospital has difficulty in obtaining funding or that funds available for the proposed solution are inadequate.†

(g) Evidence that the grant funds will assist in maintaining or returning the hospital to an economically stable condition or enable the transition to the status of rural primary care hospital or that any plan for closure of the hospital or realignment of services will involve development of innovative alternatives for the provision of needed discontinued services.†

(h) Evidence of a satisfactory record-keeping system to account for grant fund expenditures within the rural county.†

~~(i) A rural health network plan that includes a description of how the plan was developed, the goals of the plan, the links with existing health care providers under the plan, Indicators quantifying the hospital's financial status well-being, measurable outcome targets, and the current physical and operational condition of the hospital.~~

~~(3)(2)~~ Each rural hospital as defined in s. 395.602 shall receive a minimum of \$100,000 annually, subject to legislative appropriation, upon application to the Department of Health, for projects to acquire, repair, improve, or upgrade systems, facilities, or equipment.

~~(4)(3)~~ Any remaining funds shall annually be disbursed to rural hospitals in accordance with this section. The Department of Health shall establish, by rule, criteria for awarding grants ~~for any remaining funds~~, which must be used exclusively for the support and assistance of rural hospitals as defined in s. 395.602, including criteria relating to the level of charity uncompensated care rendered by the hospital, the financial

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

51 status of the hospital, the performance standards of the
52 hospital, the participation in a rural health network as defined
53 in s. 381.0406, and the proposed use of the grant by the rural
54 hospital to resolve a specific problem. The department must
55 consider any information submitted in an application for the
56 grants in accordance with subsection (2) ~~(1)~~ in determining
57 eligibility for and the amount of the grant, and none of the
58 individual items of information by itself may be used to deny
59 grant eligibility.

60 (5) Financially distressed rural hospitals may receive
61 preferential assistance under the capital improvement grant
62 program to provide planning, management, and financial support.
63 To receive this assistance the hospital must:

64 (a) Provide additional information that includes:

65 1. A statement of support from the board of directors of
66 the hospital, the county commission, and the city commission.

67 2. Evidence that the rural hospital and the community have
68 difficulty obtaining funding or that funds available for the
69 proposed solution are inadequate.

70 (b) Agree to be bound by the terms of a participation
71 agreement with the agency, which may include:

72 1. The appointment of a health care expert under contract
73 with the agency to analyze and monitor the hospital operations
74 during the period of distress.

75 2. The establishment of minimum standards for the
76 education and experience of the managers and administrators of
77 the hospital.

78 3. The oversight and monitoring of a strategic plan to
79 restore the hospital to an economically stable condition or
80 transition to an alternative means to provide services.

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

81 4. The establishment of a board orientation and
82 development program.

83 5. The approval of any facility relocation plans.

84 (6)(4) The department shall ensure that the funds are used
85 solely for the purposes specified in this section. The total
86 grants awarded pursuant to this section shall not exceed the
87 amount appropriated for this program.

88
89 ===== T I T L E A M E N D M E N T =====

90 Remove line(s) 43-47 and insert:

91
92 ; modifying the conditions for receiving a grant;
93 establishing an assistance program within the department
94 for financially distressed rural hospitals; providing
95 purpose of the

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4 (for drafter's use only)

Bill No. **HB 7215**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Garcia offered the following:
3

4 **Amendment (with directory and title amendments)**

5 Remove line(s) 792-1056
6

7 ===== T I T L E A M E N D M E N T =====

8 Remove line(s) 50-77 and insert:
9

10 providing for contents thereof; creating s.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5 (for drafter's use only)

Bill No. **HB 7215**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Garcia offered the following:

3
4 **Amendment (with directory and title amendments)**

5 Remove line(s) 1069-1113 and insert:

6 (2) The agency is authorized to provide funding through a
7 grant program to entities seeking to establish rural provider
8 service networks that have demonstrated an interest and have
9 experience in organizing rural health care providers for this
10 purpose.

11 (3) Entities eligible for rural provider service network
12 development grants must:

13 (a) Have a written agreement signed by prospective
14 members, 45 percent of whom must be providers in the targeted
15 service area.

16 (b) Include all rural hospitals, at least one federally
17 qualified health center, and one county health department
18 located in the service area.

19 (c) Have a defined service area.

20 (4) Each applicant for this funding shall provide the
21 agency with a detailed written proposal that includes, at a

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 5 (for drafter's use only)

22 minimum, a statement of need; a defined purpose; identification
23 and explanation of the role of prospective partners; a signed
24 memorandum of agreement or similar document attesting to the
25 role of prospective partners; documented actions related to
26 provider service network development; measurable objectives for
27 the development of clinical and administrative infrastructure; a
28 process of evaluation; and a process for developing a business
29 plan and securing additional funding.

30 (5) The agency is authorized to grant preferential funding
31 to a rural provider service network based on the number of rural
32 counties within the network's proposed service area that are
33 Medically Underserved Areas or Health Professional Shortage
34 Areas as defined by the Health Resources Services
35 Administration, Office of Rural Health Policy, and based on
36 whether the provider service network has a principal place of
37 business located in a rural county in the state.

38 (6) The agency is granted authority to develop rules
39 pursuant to s. 120.53(1) and 120.54 necessary to implement this
40 section.

41 ===== T I T L E A M E N D M E N T =====

42 Remove line(s) 79-80 and insert:

43 Network Development Program; providing purposes; authorizing the
44 agency to provide

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6 (for drafter's use only)

Bill No. **HB 7215**

COUNCIL/COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Garcia offered the following:

3
4 **Amendment (with directory and title amendments)**

5 Remove line(s) 1153-1239

6
7 ===== T I T L E A M E N D M E N T =====

8 Remove line(s) 84-87 and insert:

9
10 providers; authorizing the agency to adopt rules; amending ss.
11 408.07,

000000

Amendment to HB 7215 by Rep. Richardson

Amendment #7 establishes the Office of Minority Health in the Department of Health to address health disparities in the state, by coordinating existing efforts and promoting state and local initiatives.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 9 (for drafter's use only)

Bill No. 7215

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Richardson offered the following:

3
4 **Amendment (with title amendment)**

5 Between line(s) 1295 and 1296, insert:

6 Section 15. Section 381.7366, Florida Statutes, is created
7 to read:

8 381.7366 Office of Minority Health; legislative intent;
9 duties.--

10 (1) LEGISLATIVE INTENT.--The Legislature recognizes that
11 despite significant investments in health care programs certain
12 racial and ethnic populations suffer disproportionately with
13 chronic diseases when compared to non-Hispanic whites. The
14 Legislature intends to address these disparities by developing
15 programs that target causal factors and recognize the specific
16 health care needs of racial and ethnic minorities.

17 (2) ORGANIZATION.--The Office of Minority Health is
18 established within the Department of Health. The office shall be
19 headed by a director who shall report directly to the Secretary
20 of Health.

21 (3) DUTIES.--The office shall:

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 7 (for drafter's use only)

22 (a) Protect and promote the health and well-being of
23 racial and ethnic populations in the state.

24 (b) Focus on the issue of health disparities between
25 racial and ethnic minority groups and the general population.

26 (c) Coordinate the department's initiatives, programs, and
27 policies to address racial and ethnic health disparities.

28 (d) Communicate pertinent health information to affected
29 racial and ethnic populations.

30 (e) Collect and analyze data on the incidence and
31 frequency of racial and ethnic health disparities.

32 (f) Promote and encourage cultural competence education
33 and training for healthcare professionals.

34 (g) Serve as a clearinghouse for the collection and
35 dissemination of information and research findings relating to
36 innovative approaches to the reduction or elimination of health
37 disparities.

38 (h) Dedicate resources to increase public awareness of
39 minority health issues.

40 (i) Seek increased funding for local innovative
41 initiatives and administer grants designed to support
42 initiatives that address health disparities and that can be
43 duplicated.

44 (j) Provide staffing and support for the Closing the Gap
45 grant advisory council.

46 (k) Coordinate with other agencies, states, and the
47 Federal Government to reduce or eliminate health disparities.

48 (l) Collaborate with other public healthcare providers,
49 community and faith-based organizations, the private healthcare
50 system, historically black colleges and universities and other
51 minority institutions of higher education, medical schools, and

000000

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 7 (for drafter's use only)

52 other health providers to establish a comprehensive and
53 inclusive approach to reducing health disparities.

54 (m) Encourage and support research into causes of racial
55 and ethnic health disparities.

56 (n) Collaborate with health professional training programs
57 to increase the number of minority healthcare professionals.

58 (o) Provide an annual report to the Governor, the
59 President of the Senate, and the Speaker of the House of
60 Representatives on the activities of the office.

61 (4) RESPONSIBILITY AND COORDINATION.--The office and the
62 department shall direct and carry out the duties established
63 under this section and shall work with other state agencies in
64 accomplishing these tasks.

65
66
67 ===== T I T L E A M E N D M E N T =====

68 Remove line(s) 90 and insert:
69 emergency care hospitals; creating s. 381.7366, F.S.;
70 establishing the Office of Minority Health; providing
71 legislative intent; providing for organization, duties, and
72 responsibilities; requiring a report to the Governor and
73 Legislature; providing an effective date.

000000

COUNCIL MEETING REPORT

Health & Families Council

4/25/2006 9:00:00AM

Location: Reed Hall (102 HOB)

Summary:

Health & Families Council

Tuesday April 25, 2006 09:00 am

HB 241 CS	Favorable	Yeas: 7 Nays: 0
HB 457 CS	Favorable	Yeas: 6 Nays: 0
HB 459	Favorable	Yeas: 6 Nays: 0
HB 569 CS	Favorable	Yeas: 6 Nays: 0
HB 577 CS	Favorable With Committee Substitute	Yeas: 8 Nays: 0
HB 619 CS	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 1623 CS	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 7173 CS	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 7215	Favorable With Committee Substitute	Yeas: 6 Nays: 0

Committee meeting was reported out: Tuesday, April 25, 2006 11:13:10AM

Print Date: 4/25/2006 11:13 am

Leagis ®

Page 11 of 11